

Minutes of Meeting of Monaghan County Council held in the Council Chamber, Mtek Building, Armagh Road, Monaghan on Monday 11th May, 2015 at 2.00 p.m.

Chair: Cllr Padraig McNally, Cathaoirleach

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

Mr. E. Cummins, Chief Executive, Mr. A. King and Mr. P. Clifford, Directors of Services, Mr. J. Murray, Head of Finance, Mr. J. McKernan, A/Senior Engineer, Ms. D. Condra, Tourism Marketing Executive, Mr. S. MacConghail, Arts Officer, Ms. B. Bradley, CEDO, Mr. N. O'Connor, Environmental Education Officer and Ms. C. Thornton, Meetings Administrator.

Apology: Cllr. McPhillips

1. Confirmation of Minutes:

- (i) *On the proposal of Cllr. Coyle, seconded by Cllr P. Treanor, it was agreed that the minutes of Council meeting held on 13th April, 2015, be confirmed.*

2. Correspondence

The following correspondence was circulated with the agenda for the meeting:

- Letter of acknowledgement from the Minister for Social Protection regarding the closure of the PSC Office in Ballybay and the Social Welfare Office in Clones and stating that she was unable to meet a Council deputation.
- Letter of acknowledgement from the Minister for Social Protection regarding the Council's resolution in relation to qualifying age limits for One Parent Family payment.
- Email from Minister Alex White's office acknowledging Council letter regarding North South Interconnector.
- Email from Matt Carthy, MEP, thanking the Council for the Joint Civic Reception hosted to acknowledge his election to the European Parliament.
- Letter of acknowledgement from the Minister for Jobs, Enterprise and Innovation in relation to the closure of the BOSE facility in Carrickmacross.
- Letter from the Area Manager, HSE Cavan & Monaghan in relation to the provision of a detoxification unit in the area.
- Letter from the Queen of the Detroit United Irish Societies expressing a wish to meet the Mayor of the Council.
- Letter from the Department of the Environment, Community and Local Government outlining the local authority's responsibilities under the Litter Pollution Act in relation to Referendum posters.
- Letter from Dublin City Council confirming supporting for a resolution passed by the Council in relation to the creation of a newly funded co-ordinator post for the Public Participation Network (PPN).
- Resolution from Limerick City and County Council calling on the Ministers for Agriculture and Finance to reinstate the Early Retirement Scheme and installation grant for our farming communities.

The following correspondence was circulated at the meeting:

- Letter from the Department of Social Protection, Dundalk Office, in relation to the closure of the PSC Office in Ballybay and the Social Welfare Office in Clones.
- Letter from the Joint Committee on Transport and Communications noting the contents of a resolution from the Council in relation to the North South Interconnector.
- Email from Department of Culture Arts and Leisure, Northern Ireland declining a meeting with Minister Carál Ní Chuilín and offering a meeting with a Department official in relation to the Ulster Canal.
- Email from Deputy Sean Conlan outlining a number of actions undertaken by him in relation to the campaign against the North South Interconnector.
- Email from the Office of the Taoiseach notifying the Council of the launch of the Local Diaspora Engagement Fund by Minister Jimmy Deenihan, T.D.

Proposals arising out of correspondence:

On the proposal of Cllr P. Treanor, seconded by Cllr McElvaney it was agreed that the Council request the Department of Social Protection to investigate the inflexibility at the SWO in Monaghan town, where long term unemployed people who turned up early to sign on were told to wait in the queue until their appropriate time. That they communicate with the new clients who used to sign on at the Clones Social Welfare Office, and that they are given times that coincide with bus times from Clones to Monaghan.

On the proposal of Cllr Coyle, seconded by Cllr O'Hanlon, it was agreed that the Council adopt the resolution from Limerick City and County Council calling on the Ministers for Agriculture and Finance to reinstate the Early Retirement Scheme and installation grant for our farming communities.

Cllr Carthy proposed, Cllr Conlon seconded that Monaghan County Council hosts a reception of the United Irish Societies when they visit Monaghan on July 3rd, 2015. This will benefit the strengthening of links between Ireland and it's diaspora.

It was agreed that in accordance with the policy for awarding civic honours, that this matter be referred to the Corporate Policy Group for consideration.

On the proposal of Cllr B. McKenna, seconded by Cllr Maxwell it was agreed that the Council be represented at the Dimpna Days celebration in Geel in May 2015.

It was agreed that interested members would contact the Meetings Administrator as soon as possible so that arrangements could be made.

Ireland 2016:

The Cathaoirleach informed the members that a public consultation meeting would be held in the Glencarn Hotel, Castleblayney on Wednesday 27th May at 7pm to discuss the development of a programme of events to commemorate the 1916 Rising. He appealed to the public to come along to the meeting and have their say in the Ireland 2016 celebrations.

Posters for Jobs Event

In response to queries from members in relation to the erection of posters advertising Jobs meetings to be held in Monaghan and Cavan, Mr. P. Clifford, Director referred to the Planning and Development Regulations 2001 which provided exemptions for certain classes of notices.

It was agreed that legal advice would be sought in relation to the interpretation of the planning legislation.

3. Section 183 Notice

On the proposal of Cllr Campbell, seconded by Cllr O'Hanlon it was agreed that the Council approve the disposal of 19.88 square metres of land at Drummond Otra, Chapel Lane, Carrickmacross, in accordance with the terms of notice dated 14th April, 2015, under Section 183 of the Local Government Act 2001.

4. Management Report – April 2015.

The members considered the Management Report for April which had been circulated with the agenda.

The Chief Executive, Head of Finance and the Directors of Service responded to issues raised by the members.

Cllr Carthy proposed, Cllr Conlon seconded that this Council would, in all future construction projects, use PV solar panels where possible, and call on all LA's in the state to adopt a similar motion also.

Cllr Conlon proposed Cllr B. McKenna seconded, that in pre-planning consultations available to the public prior to the submitting of planning applications, that along with a planning staff representative, there is also present at the consultation event a representative from the Building Control and Fire Safety section for the purpose of clarification around the applications plans.

These motions were not put to the meeting and therefore no decision was taken as to whether or not they should be adopted.

5. To receive presentation on the County Monaghan Tourism Strategy 2015-2020

Ms. Dympna Condra, Tourism Marketing Executive gave a presentation to the members on the Tourism Strategy for County Monaghan for the period 2015 to 2020.

Ms. Dympna Condra, Tourism Marketing Executive gave a presentation to the members on the Tourism Strategy for County Monaghan for the period 2015 to 2020. She stated that the overall objective of the County Monaghan Tourism Strategy 2015 – 2020 is to guide development, inward investment and marketing of the county during that period. The strategy has been developed in consultation with the tourism trade, key stakeholders and the public with a view to identifying tourism opportunities and proposals which may have the potential to be implemented over the five year period, subject to the usual statutory consents and viability assessments.

In the presentation Ms. Condra outlined the following:

- The context of the tourism sector in Co. Monaghan.
- The changing role in tourism for local authorities
- The tourism product in Co. Monaghan.
- The findings of a tourism survey undertaken in late 2014.
- The strengths, weaknesses, opportunities and threats.
- The 10 Key priorities for the period 2015-2020.
- The potential sources of funding that may provide some opportunities for funding tourism initiatives

On the proposal of Cllr McNally, seconded by Cllr Crowe it was agreed that the draft County Monaghan Tourism Strategy 2015-2020 be put out to public consultation and that the public be invited to make submissions.

Cllr Carthy proposed, Cllr Conlon seconded, that Monaghan County Council sets up a Steering Committee to review any tourism strategy undertaken by the local authority with the view to keeping the Council up to date with plans, events, initiatives etc. Representatives from each political groups and invited stakeholders of the community should make up this group/committee

It was agreed to defer this motion pending consideration by the Economic Development and Enterprise Support SPC.

6. Roads – To receive report on Road Survey:

Mr. John McKernan, A/Senior Engineer Roads gave a detailed presentation to the members in relation to a non national roads survey which had been undertaken by the Councils Roads Section.

In his presentation he outlined the funding available in 2015 – Discretionary Grant €1,742,007, Restoration Maintenance grant €1,091,862 and own resources of €1,244,209.

He referred to the Rural Flexible Roads Manual development jointly in 2012 by the DTTAS and the LGMA, the objective of which was to provide a standardised approach to linking pavement distress to treatment measures. The manual introduced the Pavement Surface Condition Index (PSCI) for network level rating and treatment measures and forms part of an overall national IT Pavement Management System (MapRoad PMS) which is being developed in accordance with Government policy.

Mr. McKernan then outlined in detail how the Pavement Surface Condition Index (PSCI) is applied and included explanatory photos to indicate what the rating indexes, which range from Rating 10 to Rating 1 mean. In relation to the Monaghan Survey, which was completed between December 2014 and April 2015, 95% (2321 Km) of the road network has been surveyed. The remaining 5% of roads in urban areas will be surveyed following implementation of the new Urban Pavement Mobile App.

In conclusion he stated that in terms of mitigating risk across the road network, this necessitates the prioritisation of risk and diversion of funds to those roads that have higher volumes of traffic, higher% HGV and higher speed levels such as regional and local primary roads. Monaghan's % PCSI ratings compare favourably with the national average. 46% of regional roads are in Categories 1-4 and require priority attention. 156 km regional, 312 km local primary, 316 local secondary, 546 km in categories 7/8 by definition require surface dressing. Consideration on the prioritisation of future road programmes on achieving higher % of 9 and 10 PSCI ratings in higher road classifications i.e. Regional and Local Primary roads.

In addition he stated that analysis shows that the condition of roads is not consistent among districts as greater use of bound materials in some areas in the past have resulted in longer pavement life. The model for the distribution of funding to the M.D's will have to be based on 'need' as opposed to 'length' and this will have implications across the districts that will see an uneven distribution of funding. Analysis at a comparative level within the region will be used to call for additional funding notwithstanding that Monaghan compares favourably nationally.

A lengthy debate took place during which members raised a number of issues to which Mr. McKernan replied.

Mr. E. Cummins stated that the report before the meeting was based on facts and no decisions had been taken on the basis of it and nothing had changed in relation to the Council's existing roadwork's programme. He said he would take on board the comments made by the members in relation to unbound materials. Regarding the road survey he stated that a lot of work had been done in completing the survey, so as to be in a position to make a case to the Department for additional funding. However he said it would not make sense to have class three roads improved to the level of a category nine or ten. He accepted that there would come a time when category ten roads would begin to fall in standard and could not be kept up to that standard all the time. He advised that the members would have to change the way the money was allocated because they were going to have to decide that the roads that are most in need had money diverted to them. He hoped that a list of these roads would be available in the coming weeks. When the case is being made to the Department it would have to reflect the significantly higher levels of HGVs on the roads in this county than in other counties and how dependent they were on their SME's to bring the county forward in the future.

On the proposal of Cllr O'Hanlon, seconded by Cllr Coyle it was agreed that the Council send a cross party delegation to the Minister for Transport in relation to additional funding for our local and regional roads and that the Dail Deputies be notified of such request.

7. To approve recommendations and minutes of Corporate Policy Group meetings held on 21st and 28th April, 2015.

On the proposal of Cllr P. Treanor, seconded by Cllr Gallagher, it was agreed that the recommendations from the Corporate Policy Group meetings held on 21st and 28th April, 2015 be approved.

On the proposal of Cllr P. Treanor, seconded by Cllr Gallagher, it was agreed that the minutes of the Corporate Policy Group meetings held on 21st and 28th April, 2015 be confirmed.

8. To fix date for the Annual Meeting of Monaghan County Council:

It was agreed that the Annual Meeting of the Council be held on Monday 22nd June, 2015 at 10.00 am in the Council Chamber, Mtek Building.

9. To receive reports from Members attending Conferences/Training events:

It was agreed that the reports received from Cllrs Bennett, Campbell, Connolly, Crowe, Gallagher, Maxwell, McElvaney, McKenna, McNally, in relation to their attendance at the following conferences/training events:

- LAMA Spring Seminar (Housing Provision) Tuam, Co. Galway
- AILG Training Seminar (Governance), Castlebar, Co. Mayo.
- AILG 2nd Annual Conference, Carrickmacross, Co. Monaghan.
- ICLRD/CCBS Conference, Enniskillen, Co. Fermanagh.
- LAMA Seminar, Bunrana, Co. Donegal
- Colmcille Winter School, Church Hill, Letterkenny, Co. Donegal
- AILG Training (Economic Development), Galway.
- AILG Training (Economic Development), Arklow

10. Business submitted by Chief Executive:

Regional Waste Management Plan

Mr. E. Cummins advised the members that the Connacht Ulster Regional Waste Management Plan 2015 – 2021 would be signed by all Chief Executives in the region on the 12th May and launched in Galway on the 15th May. The Waste Management Plan is the framework for the prevention and management of wastes in a sustainable and safe manner. The aims and objectives of the plan are to consolidate waste management regions from 10 to 3, maximise the resource value in waste, and to ensure a sufficiency of waste management infrastructure within the state to manage municipal waste. Monaghan County Council will have a key role in implementing the targets of the plan in conjunction with the Connacht Ulster Regional Waste Management office.

11. Matters arising out of the minutes of Council meeting held on 2nd March and 13 April 2015

This item was not dealt with.

12. To receive update on North South Interconnector project

Cllr Keelan proposed, Cllr Crowe seconded that the Council writes to Minister Heather Humphreys, TD, requesting that she uses her position at Cabinet to veto the decision by Eirgrid to lodge a planning application, given that Eirgrid has acknowledged that the undergrounding of the North South Interconnector is feasible.

A vote by show of hands resulted in 10 for 2 against the proposal. The Cathaoirleach declared the proposal carried.

On the proposal of Cllr Coyle, seconded by Cllr O'Hanlon it was agreed that the Council calls immediately on all Oireachtas members for the Cavan-Monaghan constituency to immediately place before Dail Eireann, a motion for adoption, instructing the government to stop Eirgrid, a state owned company from all works on the North South Interconnector project and instruct Eirgrid to underground the project.

13. To receive update on Ulster Canal project:

On the proposal of Cllr P. Treanor, seconded by Cllr McElvaney it was agreed that MCC accept the offer from DCAL, Minister Carál Ní Chuilín to meet with a DCAL official. That we seek to have this meeting as a joint meeting with the Departments North and South.

Cllr Coyle proposed, Cllr O'Hanlon seconded that the Council again seek a joint meeting with Minister for Arts, Heritage & the Gaeltacht, Heather Humphreys, TD, and the Northern Ireland assembly Minister for Culture, Arts and Leisure, MLA, Carál Ní Chuilín to advance works on the

Ulster Canal project and request that the Fine Gael and Sinn Fein members of MCC arrange this meeting urgently.

It was noted that this meeting had already been requested with both Ministers and that Minister Ní Chuilín was unavailable to attend such a meeting. It was agreed to pursue a joint meeting with officials from both Departments North and South, as proposed by Cllrs P. Treanor and H. McElvaney.

14. Questions:

Cllr C. Bennett asked:

1. In relation to the N2 bypass for Castleblayney and the entrance into Killycard Industrial Estate. The entry/exit slip to the industrial estate has been closed and blocked off with concrete bollards since October 31st 2014.
 - (a) Why have these entry / exit points remained closed since?
 - (b) When, if at all these points will be opened?

Reply: The road will be open to traffic from 11th May 2015.

2. In relation to the fluoridation of water in Ireland, has there been any progress in response to a motion passed at this council.

Reply: As agreed at the February Council meeting a letter issued to the Minister for Health calling on the Government to stop fluoride being added to our water supplies. An acknowledgement of the Council's letter was circulated to members with the agenda for the April Council meeting. There has been no further response to date.

3. In relation to local authority houses, do Monaghan County Council have a policy in place to stand over any work performed by outside contractors and are all local authority houses treated equally in the response to complaints received.

Reply: Contractors are employed to carry out housing construction works on behalf of the council and are required to be qualified and competent to carry out the works required. If they are employed the works are required to be carried out in accordance with a defined specification as set down by the council. Upon completion the property is thereafter inspected by a Council Officer to ensure compliance with that standard. If additional works are required following that inspection the contractor will be required to remedy the issue. All repairs are required to be treated in accordance with the terms of the tenant handbook, and thereby treated consistently.

Cllr N. Keelan asked:

4. What efforts are being made by the senior officials in our Roads department to impress upon the Department of Transport and the National Roads Authority the need for adequate funding to maintain the county road infrastructure; what efforts are being made by our CEO Mr. Cummins to impress upon the senior department officials at national level in relation to the inadequate funding for the maintenance of our county road network; has this issue been raised at the Association of Chief Executive Officers, formally County Managers?

Reply: The Road Condition Survey report will be presented to the May Meeting.

5. In commending the huge amount of work that has been done by Monaghan County Council and local communities across the county in relation to the National Spring Clean, litter picking etc., how much has this necessary work cost the council?

Reply: As of the 5th of May just over €30,000 had been spent on Spring Clean activities in County Monaghan. This included a litter pick from Aclint Bridge to Tullyvin Roundabout by Carrickmacross – Castleblayney Municipal district, provision of wheelie bins and skips to local villages and towns and anti litter advertising on radio and billboards. There are still a number of outstanding commitments so the expected final figure is to be in the region of €40,000.

6. What is the policy of Monaghan County Council in relation to dangerous structures i.e. walls, buildings including dangerous Trees, and public safety; has the council an inspection programme in place?

Reply: Property owners have a responsibility to ensure that their property does not become derelict or contain any dangerous structures. The Council carries out inspections when notified of potentially dangerous structures. The [Local Government \(Sanitary Services\) Act, 1964](#) allows local authorities to prosecute owners who do not comply with notices served dangerous structures. The Council can also purchase land compulsorily and carry out necessary work themselves and charge the owners for the costs in making property safe.

7. How many claims for damage to vehicles as a result of the poor state of repair of some of the county road network has been received by the council in 2013 and 2014 and in relation to claims that have been awarded, how much money has been paid out to these claimants; how does this figure compare to the years 2008 and 2009?

Reply: As the information requested is retained by Irish Public Bodies, Monaghan County Council have forwarded the above question to IPB for their response.

Cllr N. Keelan asked (contd):

8. What is the up-to-date position in relation to the upgrading and improvement of the Dundalk to Carrickmacross and the Carrickmacross to Shercock regional road improvement scheme, given that this very important regional route is vital for this county's economic development; will this council seek to have the consultants involved in preparing this plan give a presentation to the elected members in the near future?

Reply: The preliminary design report on the scheme is nearing completion and Monaghan County Council is due to receive a draft copy in the next 6 weeks for approval. The roads section will contact the consultants in relation to a presentation for the members upon approval of the final report.

Cllr C. Carthy asked:

9. Has the council been informed of any proposed reintroduction of the 'Tenant Purchase Scheme'?

Reply: As indicated in the presentation relating to the Housing Strategy 2020 in January 2015 the Authority have been informed that it is the intention of the current government to introduce a new tenant purchase scheme in Q2 2015. No further information has been forthcoming in relation to the scheme and details are awaited. Upon the introduction of the Scheme the Local Authority will notify the tenants of the introduction of the scheme and its terms and conditions.

10. Can the Council confirm if it will be forced to penalise its tenants if they are do not pay their water charges to Irish Water?

Reply: The non payment of a utility bill by a tenant of the local authority is a matter between the tenant and that utility. No further guidance has been given by Irish Water in relation to the Council's liabilities if tenants refuse to make payments.

11. What is the up-to-date position on County Monaghan's Tourism Strategy?

Reply: A presentation on the draft Strategy will be made to the Council at its May monthly meeting.

Cllr A. Campbell asked:

12. What is the current update on the Hope Castle, Annex and surrounds?

Reply: Following the determination of the High Court in relation to a claim under the Malicious Injuries Acts, Monaghan County Council is seeking legal advice in relation to this matter.

15. Notices of Motion:

This item was deferred to the next meeting

16. Votes of sympathy/congratulations.

It was agreed that the sympathy of the Council be extended Walter and Margaret Pringle Rateerbane, Clones on the death of Isabella Fox, RIP, late of Shantonagh.

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

- *Cllr Colm Carthy and his fiancé Denise Connolly on the occasion of their forthcoming marriage.*
- *Christina McMahon, Carrickmacross on becoming WBC Interim Bantamweight Champion of the World.*
- *Clones Town F.C. on winning the Capaldi Cup and the U16's and U18's cup success.*
- *Aaron McKenna, Old School Boxing Club on becoming Irish Champion 2015 and wishing both Aaron and Zach Mallon good luck in Russia.*
- *Largy College Young Social Innovators who took Gold and the Ireland's Young Social Innovators 2015 with their project LGBT – Lets Get By Together.*

17. Conferences/Training.

On the proposal of Cllr McElvaney, seconded by Cllr Coyle, it was agreed that the Council be represented at the following conferences/training events by the members listed.

Promoting Authority	Subject/Theme	Venue	Dates	Members Selected
AILG	Training - Local Community Development & LCDC's	Kilkenny	7 th May	Cllr P. Connolly
AILG	Training – Local Community Development & LCDC's	Radisson Blue Hotel	16 th May	Cllr P. Treanor Cllr N. Keelan Cllr J. Crowe Cllr H. McElvaney Cllr E. Bannigan Cllr P. Mc Nally Cllr S. Coyle Cllr D. Maxwell
Irish Ramsar Wetlands Committee & MCC	Wise use of Wetlands Conference	Ballybay Wetlands Centre, Monaghan	21 st May	Cllr S. Coyle Cllr B. Mc Kenna Cllr. C Bennett

The meeting then concluded.

Signed: _____
Cathaoirleach

Meetings Administrator

Date: _____
