

**Minutes of meeting of Monaghan County Council held in the Council Chamber, Mtek Building, Monaghan on Monday 4<sup>th</sup> November, 2013 at 10.00 a.m.**

**Chair:** Cllr S. Conlon, Mayor.

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

Mr. P. Clifford, A/County Manager, Mr. A. King, and Mr. D. Treanor, Directors of Service, Mr. J. Murray, Head of Finance, Mr. C. McCrossan, Senior Executive Engineer, Ms. B. O'Flaherty, Executive Chemist, Mr. D. Brannigan, A/Chief Fire Officer and Ms. C. Thornton, Meetings Administrator.

**Apology:** Cllrs Coyle and McPhillips

*On the proposal of Cllr Maxwell, seconded by Cllr B. McKenna it was agreed that the Council congratulate Cllr Gary Carville on being elected to the Board of University College Dublin.*

*On the proposal of Cllr B. McKenna, seconded by Cllr Maxwell it was agreed that the Council congratulate Cllr Pat Treanor on being elected as Chair of the Irish Central Border Areas Network (ICBAN)*

Cllrs Carville and Treanor thanked the Council members for their good wishes.

**1. Confirmation of Minutes:**

*(i) On the proposal of Cllr Carville, seconded by Cllr Gallagher it was agreed that the minutes of the Council meeting held on 7<sup>th</sup> October, 2013 be approved.*

*(ii) On the proposal of Cllr Carville, seconded by Cllr Murray it was agreed that the minutes of Special Council meeting held on 21<sup>st</sup> October, 2013 be approved.*

**2. Correspondence:**

**The following correspondence was circulated with the agenda –**

- Letter from IPB notifying the Council of the payment of a dividend a Members Dividend for 2013 of €139,094
- Letter from the Department for Regional Development in relation to Ballinacarry Bridge.
- Letter from the Minister for Education and Skills in relation to class sizes in primary schools.
- Letter from the Minister for Agriculture in relation to a breakdown of Teagasc staff numbers.

- Letter from the Minister for Education and Skills in relation to pupil teacher ratios in primary schools.
- Letter of acknowledgement from the Department of Communications, Energy and Natural Resources in relation to the North/South Interconnector.
- Letter from the Minister for Justice, Equality and Defence regarding Clones Courthouse.
- Letter from the Commission for Energy Regulation regarding the North/South Interconnector.
- Letter from the Restaurants Association of Ireland thanking the Council for its support for its campaign to retain the 9% VAT rate on hospitality and tourism services.
- Letter from St. Macartan's College thanking the Council for the financial support allocated to its Transition Year team in the New York Mock Trial competition.
- Letter from Castleblayney Town Council regarding motion passed by that Council requesting public bars to take steps to prevent disorder and anti-social behaviour in their vicinity.

The following correspondence was circulated at the meeting:

- Letter from the Department of Social Protection regarding the Fuel Allowance Scheme.
- Letter of acknowledgement from the Commission for Energy Regulation regarding the Council's motion in relation to the North/South Interconnector.
- Letter from Deputy O'Caolain enclosing letter from Minister Pat Rabbitte regarding recent EirGrid helicopter overflights of lands along the route of the North/South Interconnector.
- Briefing Note in relation to Regional Waste Management Planning for the Connacht Ulster Waste Region and the intention to commence preparation of the Regional Waste Management Plan.

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

*On the proposal of Cllr Gallagher, seconded by Cllr McNally it was agreed that this Council calls on the Minister for Education and Skills, Mr. Ruairi Quinn, TD to be conscious of the fact that small rural schools also need ongoing financial assistance if they are to survive and exist in the future.*

*On the proposal of Cllr Crowe, seconded by Cllr Carville it was agreed that correspondence that was sent to the National Roads Authority and the Department of Regional Development N.I., in relation to funding for Ballinacarry Bridge, now be forwarded to the SEUPB and both Departments of Finance for their consideration for any surplus funding that might come available from Interreg IV monies.*

*On the proposal of Cllr Carville, seconded by Cllr Crowe it was agreed that the letter from Castleblayney Town Council be forwarded to the County Monaghan JPC for consideration.*

*On the proposal of Cllr McElvaney, seconded by Cllr O'Brien it was agreed that this Council requests that the Government does not introduce plain packaging on tobacco*

*until the UK makes the same decision. The proximity of the border means that legitimate Monaghan retailers who would sell products in plain packaging would be at a disadvantage due to an increase in the illegal trade in branded products from Northern Ireland.*

*On the proposal of Cllr Connolly, seconded by Cllr Treanor it was agreed that this Council writes to the Restaurant Association of Ireland asking them what efforts they are making to ensure that the chicken used in Irish restaurants is of Irish origin.*

**3. Appointment of Monaghan County Manager in accordance with Section 145 of the Local Government Act 2001.**

*On the proposal of Cllr. S. Conlon, Mayor, seconded by Cllr. D. Maxwell, Deputy Mayor, it was unanimously agreed that in accordance with Section 145 of the Local Government Act 2001, Monaghan County Council hereby appoint Mr. Eugene Cummins, of Pound Road, Ballygar, Co. Galway as Monaghan County Manager.*

**4. To receive Progress Report on the Transition to Irish Water**

Mr. Con McCrossan, Senior Engineer gave a detailed presentation regarding the transition to Irish Water. He outlined the following -

- The Service Level Agreement with Irish Water
- Annual Service Plan
- Progress to date in relation to the transition process
- Appointment/Duties of Change Management Team
- Transition Plan/Changes to expect on Day 1
- Local Authority concerns/staffing

Mr. McCrossan informed the members that with effect from 1 January 2014 there would be a single water authority – Irish Water – to replace the 34 local authorities that currently control the water services function. Each local authority would sign a Service Level Agreement covering a 12 year period, undertaking to deliver water and waste water services on behalf of Irish Water. Work on this process has been ongoing for some time. The Agreement would set out the rights and obligations of Irish Water and each local authority under the new arrangements. It is expected that the legislation giving effect to this process would be passed before the end of the year. The Service Level Agreements could not be signed until this legislation is in place. The budget for 2014 would be based on the budget for 2012 and the staff numbers in place at that time. A Change Management Team will be put in place to ensure a smooth transition.

Following Mr. McCrossan's presentation a lengthy debate took place, during which he responded to queries from a number of members.

*Cllr Conlon proposed, Cllr P. Treanor seconded - that this Council requests the DoECLG to suspend the current proposed date of January 1 2014 for the transition of the management and ownership of the Council's water, drainage and sewerage infrastructure to Irish Water.*

A vote by show of hands resulted in 13 for 5 against. The Mayor declared the motion carried.

*Cllr Carthy proposed, Cllr P. Treanor seconded – that Monaghan County Council instructs the executive to refrain from signing any contract with ‘Irish Water’ or any body acting on its behalf, including the transfer of any such assets; without first securing independent legal advice which is presented to the members for prior consideration.*

A vote by show of hands resulted in 17 for 1 against. The Mayor declared the motion carried.

*On the proposal of Cllr P. Treanor, seconded by Cllr B. McKenna it was agreed that this Council resurrect the proposal to erect a water reservoir close to Clones Town to supply local households and businesses, without the current regular interruptions which are due to old cast-iron and asbestos pipes. This project to be included in any agreement with Irish Water.*

*On the proposal of Cllr P. Treanor, seconded by Cllr Keelan it was agreed that this Council endorses the principle of the right to water and sanitation as a fundamental core value within Irish society and this should be reflected as a central pillar in national water policy. As citizens of the EU we believe in the right of all inhabitants to enjoy this right and that we oppose any attempt to include water in legislation aimed at market liberalization. This Council supports the call for the full national political commitment to ensuring that water and sanitation are publicly owned, democratically run and that all in the sector are fully accountable.*

## **5. Housing –**

### **(i) To adopt the North East Regional Homeless Action Plan 2013-2017.**

Mr. A. King, Director of Housing referred to the Homelessness Action Plan, a draft of which had been circulated with the agenda. He stated that the plan had been prepared on a regional basis in accordance with Section 37 of the (Housing Miscellaneous Provisions) Act 2009. The objectives contained within the plan, are as follows;

- (i) the prevention of homelessness,
- (ii) the reduction of homelessness in its extent or duration;
- (iii) the provision of services, including accommodation to address the needs of homeless households;
- (iv) the provision of assistance to persons who were formerly homeless and
- (v) the promotion of effective co-ordination of activities proposed to be undertaken for the purposes of addressing homelessness in the administrative areas concerned.

Mr. King and Ms. M. Walker, Social Worker responded to queries raised by the Members.

*On the proposal of Cllr McElvaney, seconded by Cllr Conlon it was agreed that the North East Homelessness Action Plan 2013-2017 be adopted by the Council.*

**(ii) To receive the Draft Traveller Accommodation Programme 2014-2018**

Ms. M. Walker, Social Worker referred to the draft Traveller Accommodation Programme 2014-2018 which had been circulated with the agenda. She stated that the policy of the local authorities within the county is to provide suitable accommodation for Traveller families under a number of categories. The draft Programme will be put on public display and submissions will be invited from interested members of the public and consultation will also take place with the Housing SPC and other target groups. The draft Programme will be brought before the Council for adoption at a meeting early in 2014.

Ms. Walker responded to queries from the members.

**(iii) To approve the nomination of Rose McGinley, Monaghan to the Local Traveller Accommodation Consultative Committee.**

*On the proposal of Cllr Maxwell, seconded by Cllr Carthy it was agreed that the Council approve the nomination of Rose McGinley, Monaghan to the Local Traveller Accommodation Consultative Committee.*

**6. To approve Section 85 Agreement with Monaghan Town Council – Ulster Canal Greenway project**

The Members noted the draft Section 85 Agreement that had been circulated with the agenda for the meeting. The draft document proposes that Monaghan County Council and Monaghan Town Council enter into an agreement under Section 85 of the Local Government Act 2001 to allow Monaghan County Council carry out construction works on the Ulster Canal Greenway Phase 1 in the functional area of Monaghan Town Council. The agreement has already been approved by Monaghan Town Council.

*On the proposal of Cllr S. Conlon, seconded by Cllr B. McKenna, it was agreed that Monaghan County Council enter into an Agreement with Monaghan Town Council under Section 85 of the Local Government Act 2001 for the purpose of carrying out construction works on the Ulster Canal Greenway Phase 1 project in the functional area of Monaghan Town Council.*

**7. To approve recommendations from Corporate Policy Group meeting held on 21<sup>st</sup> October, 2013**

The Meetings Administrator informed the members of an error on page 3 of the minutes of the CPG meeting held on 21<sup>st</sup> October (point No. 8). The second date agreed for CPG budget meetings should read Tuesday 26<sup>th</sup> November at 10.00 am. The correction was agreed.

*On the proposal of Cllr McElvaney, seconded by Cllr O'Brien it was agreed that the Council approve the minutes of the Corporate Policy Group meeting held on the 21<sup>st</sup> October, 2013 and the recommendations contained therein.*

## **8. To receive update on Building Control Act Amendments:**

Mr. D. Brannigan, Acting Chief Fire Officer, gave a presentation to the members on the Building Control (Amendment) Regulations SI 80, 2013. Mr. Brannigan stated that, in summary, the new Building Control Amendment Regulations require:

- Submission of compliance drawings and documentation to local building control authorities starting at Commencement Notice stage
- Signing of mandatory certificates of compliance by the designer and undertaking by the builder prior to construction
- Setting out and executing an inspection plan at key stages during construction by the Assigned Certifier (registered architect, engineer or building surveyor) for compliance with building regulations
- Signing of mandatory certificates of compliance by the Assigned Certifier and the Builder when a building is complete.

The new Regulations, which come into effect on the 1<sup>st</sup> March 2014, will reinforce the responsibility of professionals within the construction industry to protect their client by ensuring compliance with building standards. This will be improved by two main factors:

- If anyone signs a statutory certificate for a building which subsequently proves to be non-compliant, they can be held legally liable for the consequences; and
- Greater onus is now placed on professionals to provide consumers with a more comprehensive service and failure to do so incurs the risk of being censured, suspended or ultimately removed from their professional body.

Following his presentation Mr. Brannigan responded to queries from a number of members.

The Mayor thanked him for a very informative presentation.

## **9. To receive update on Source Protection and Set Back Distances**

Ms. B. O'Flaherty, Executive Chemist gave a presentation to the members in relation to Source Protection and Setback distances for land spreading. She stated that the Good Agricultural Practice for the Protection of Waters Regulations 2010 (the Nitrates Regulations) prescribe set back distances for land spreading organic fertiliser of 200m (slurry) and 250m(FYM) from water supply abstraction points where schemes serve >100cubic m per day or 500 persons. In their current form the setback distances may be considered restrictive for farming practices at some locations. The Regulations allow a local authority, following a technical assessment of vulnerability and local conditions and following consultation with the EPA change the setback distances. This would represent a considerable volume of work given that there are 42 individual supply sources in the County.

Following her presentation Ms. O’Flaherty responded to queries from a number of members.

The Mayor thanked her for a very informative presentation.

#### **10. To receive reports from Members attending Conferences:**

The Members noted the reports from Cllrs Conlon, Gallagher, Keelan, McElvaney, Murray and O’Hanlon in relation to their attendance at the following conferences –

- La Touche Legacy Seminar, Greystones, Co. Wicklow
- 24<sup>th</sup> Colmcille Winter School, Gartan, Letterkenny, Co. Donegal
- Future of Energy in Ireland, Carrick-on-Shannon, Co. Leitrim
- LAMA Annual Autumn Conference, Ennistymon, Co. Clare
- Poverty in Ireland today, Bunratty, Co. Clare

#### **11. Proposed Eirgrid 440kv Interconnector:**

During the course of a debate on this item, the following proposals were made -

*On the proposal of Cllr Bannigan, seconded by Cllr Keelan it was agreed that the Council ask An Taoiseach Enda Kenny, TD, the Minister for Communications, Energy and Natural Resources Mr. Pat Rabbitte TD and the CEO of EirGrid, Mr. Fintan Slye the following - Do you accept the findings in the Independent Study into Undergrounding -v- Overgrounding the North/South Interconnector that states ‘the technology to put this project underground is available and will work’.*

*On the proposal of Cllr Bannigan, seconded by Cllr Keelan it was agreed that the Council write to the Minister for Communications, EirGrid and the leaders of the Government Parties stating that ‘Under the EU Projects of Common Interest a 275 kv interconnector from Stranagh (Co. Sligo) to Turleenan (Co. Tyrone) is on the EU list published on 13 October 2013. This project never appeared in Grid 25. The Council wish to know -*

- *Why has this project been submitted to Europe without any local/public consultation?*
- *What is the proposed route/study area?*
- *Does the route/study area affect any part of Co. Monaghan.*

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

##### **Date for Statutory Budget meeting:**

It was agreed that the Statutory Budget meeting be held on Monday 16<sup>th</sup> December, 2013 from 9.30 am to 2.00 pm.

### **Dates for Road Area Meetings:**

It was agreed that Road Area meetings be held as follows:

|                |   |
|----------------|---|
| Carrickmacross | 14 <sup>th</sup> November 2013 at 9.30 am |
| Castleblayney  | 11 <sup>th</sup> November 2013 at 9.30 am |
| Clones         | 15 <sup>th</sup> November 2013 at 2.00 pm |
| Monaghan       | 15 <sup>th</sup> November 2013 at 9.30 am |

### **12. Matters arising out of minutes of Council meetings held on 7<sup>th</sup> and 21<sup>st</sup> October.**

This item was deferred to the next meeting.

### **13. Questions:**

#### **Cllr P. McNally asked:**

1. Is this Council satisfied with the Occupational Therapist service being provided by the H.S.E. regarding grant aid applications for disabled persons Grant, as there appears to be unacceptable delays?

**Reply:** *Yes, the HSE are dealing with, and continue to deal with the priority applications for grant aid application in a timely and professional manner.*

#### **Cllr P. McNally asked:**

2. Has this Council received a response from the Chief Executive of Teagasc regarding Farm Advisory Services in County Monaghan?

**Reply:** *No correspondence has been received to date – see correspondence received from the Minister for Agriculture, Food and the Marine in this month's Agenda (Page 35).*

3. Where all can members of the public go to see a copy of Monaghan County Council's Emergency Plan, especially after office and library hours?

**Reply:** *The Major Emergency Plan can be viewed on the Council's Website [www.monaghan.ie](http://www.monaghan.ie) under the Fire & Building Control link to Major Emergency.*

#### **Cllr C. McPhillips asked:**

4. Can Monaghan County Council please advise of the up to date position with regard to the application to the Office of Public Works for funding to carry out flood prevention works on the Bunnoe River? I understand that we await an Environmental Impact Assessment, is there any timeframe within which it is anticipated that this will be finalised?

**Reply:** *Monaghan County Council is in the process of commissioning an*

*Ecological Survey and Hydrology Survey for a 11.5km section of the Bunnoe River system as part of an application to the OPW for funding.*

**Cllr C. McPhillips asked:**

5. In light of the provisions made within Budget 2014 to encourage the carrying out of construction works to the family home, can Monaghan County Council please advise what works are exempt from planning permission? If an individual believes that their proposed works does not require planning permission is there any requirement to formally confirm this with Monaghan County Council?

**Reply:** *Exempted development works which can be carried out on a dwelling are outlined in Schedule 2, Part 1, of the Planning and Development Regulations 2001 (as amended). While there is no legal requirement for an individual to confirm that such works are exempted development, a declaration can be sought from the Planning Authority under the provisions of Section 5 of the Planning and Development Act 2000 (as amended), confirming this.*

6. Has Monaghan County Council figures to hand with regard to the number of hedge cutting notices forwarded to landowners since the 1<sup>st</sup> September 2013, when hedge cutting was again permitted? Is there any evidence to suggest that such notices are being complied with?

**Reply:** *Monaghan County Council has issued 1 hedge cutting notice in 2013 in the Carrickmacross area.*

**Cllr P. Connolly asked:**

7. In view of a number of serious accidents on a bend at the northern entrance to Emyvale village have Monaghan County Council any plans to improve safety by means of anti-skid surfacing or rumble strips?

**Reply:** *In accordance with the new NRA policies, the NRA is the responsible agency for carrying out the assessment of safety on National Roads. The assessments for 2014 are ongoing. Monaghan County Council will have the opportunity to bring to the NRA's attention junctions which are considered dangerous and requiring improvement works.*

8. What plans does Monaghan County Council have to improve road safety at Dundian crossroads particularly for traffic approaching the crossroads from the Carrickroe Hall/Deravoy direction?

**Reply:** *Monaghan County Council will investigate this junction to determine the most appropriate safety measures required.*

9. Re Road improvement work on N2 between Tiernaneil/Corracrin:--  
(A) To ask Monaghan County Council for an update in relation to proposed dates for the return of free flow two way traffic on the N2 between Emyvale and Monaghan?

- (B) What is the expected completion date for the works to be carried out on this stretch of roadway?
- (C) In relation to the narrow width of roadway at the Drumcaw road exit/entry onto the N2 is Monaghan County Council satisfied that there is no safety issues involved for traffic negotiating this junction?
- (D) In view of the fact that articulated lorries are having great difficulty negotiating the left turn off the N2 at the Tiernaneil junction are there any plans to review the layout of this junction and what response have the consultants given in relation to concerns expressed regarding design and safety issues at this junction?
- (E) What, if any, alterations have been made to the original contract which was signed Monaghan County Council and the contractor and what, if any, additional costs have been incurred?
- (F) Were there any time clauses written into the overall contract?

**Reply: Monaghan County Council's site team are engaged in ongoing discussions with the Contractor to ensure that the completion of the works is expedited as quickly and efficiently as possible. These discussions are at a very advanced stage and it is proposed to hold a briefing for the North Monaghan members as soon as the discussions are concluded.**

**There has been no alteration to the original Contract. There have however been a number of legitimate compensation events that have occurred over the course of the works. These events are being managed in accordance with the Contract and in consultation with the NRA.**

**Monaghan County Council staff are reviewing the junction design along the road. Where it is felt that a different layout is required and where it is possible to incorporate this change into the works this is being done. In other instances Monaghan County Council staff may carry out some works when the site is relinquished by the contractor.**

**Cllr S. Coyle asked:**

- 10. Having been one of the first local authorities in the country to receive a presentation from ConnectIreland.com, a government launched job creating initiative, through connections with the Irish Diaspora abroad, will Monaghan County Council, seek an update from ConnectIreland.com on their progress on job creation in County Monaghan to date, and their plans for future potential job creation in the County?

**Reply: Monaghan County Council will write to Connect Ireland to ascertain progress on job creation in County Monaghan.**

- 11. Can Monaghan County Council outline their plans for the extension of their sewerage scheme on the Castleblayney/Keady Roads, Ballybay:
  - (A) When will works commence and be completed on the pumping station?
  - (B) When will Monaghan County Council be open to accepting applications from residence on the Castleblayney/Keady roads for connection to the County Council sewerage scheme?
  - (C) How much will the fee be per connection/residence?
  - (D) When does Monaghan County Council expect connections to be made to the residence on the Castleblayney/Keady roads, Ballybay?

**Reply: The Contract for the construction of the pumping station has been awarded and it is anticipated that these works will be completed before the end of the year. Monaghan County Council will write to each household, in mid November, inviting applications to be made for connection to the scheme – completed applications to be returned within three weeks, as Irish Water become the owner of the sewerage network on 1<sup>st</sup> January 2014. A 50% reduction in the connection fee will apply to those who apply by the deadline. Connections to the new scheme will commence in early 2014.**

**Cllr S. Coyle asked:**

12. Have Monaghan County Council completed plans/design to address the very serious flooding problems on the Ballybay-Cootehill road (R190), at Cumry, as in recent years, enormous hardships have been suffered by residences in this area, as their homes and farms etc., were inaccessible for lengthy periods, and great difficulties for those travelling the road to work etc, due to road flooding?

**Reply: Works to develop an appropriate design solution for this problem are ongoing.**

13. Will Monaghan County Council immediately erect a sign for 'LATTON', at the junction at Christ Church, Aughnamullen, (LP03011).

**Reply: The erection of this sign is scheduled for the coming days.**

14. What plans have Monaghan County Council to wash all Council erected directional/town/village signs across the county?

**Reply: Washing of signs is carried out by the respective engineering area and assessed on the basis of their condition and resources available.**

**Cllr A. Murray asked:**

15. In the recent Budget the Government announced a V A T refund for Home improvement works, what impact will this have on the Council's grant schemes for People with Disability and Housing Aid for Older People?.

**Reply: The Local Authority currently are operating a VAT Refund on grant schemes for People with Disabilities and this will be extended to include Housing Aid scheme for Older People on new approvals.**

16. I understand that Eirgrid have placed traffic monitoring equipment on some roads in South Monaghan. Is planning permission required for this and if so have they been granted planning?

**Reply: The installation of the traffic counters are not considered to be exempted development under the provisions of the Planning and Development Regulations 2001 (as amended). Planning permission was not granted for their installation.**

**The Planning Section has been advised that all counters have now been removed.**

**Cllr A. Murray asked:**

17. Considering the number of accidents on the Carrickmacross /Kingscourt Road (R162) at location known as McCartney's Hill will the Council consider remedial works to improve the safety of the road at this location?

**Reply: This matter will be placed on the agenda for the next road area meeting for discussion.**

**Cllr C. Bennett asked:**

18. Can this Council carry out urgent road repairs on the Ballinode to Scotstown road? Just outside Ballinode village on the left hand side, there is a very dangerous dip on the road which is extremely dangerous for drivers and pedestrians.

**Reply: The contractor has committed to completing these works by mid November.**

19. The people of Scotstown would like to enquire from Monaghan County Council whether drain covers on the main street can be tightened. They are causing noise disturbance at night to residents, when traffic is driving over them.

**Reply: Monaghan County Council staff will assess all manhole covers along Main Street and determine remedial actions.**

20. Can I again urge this Council to fix the footpath on the hump-back bridge which exits Scotstown? It should be made a priority as the new sewage scheme shall be commencing construction soon and more children are going to have to use this footpath to walk down to Urbleshanny School during the construction in order to avoid congestion in the vicinity of the school.

**Reply: The engineering area will investigate this footpath and any urgent defects will be repaired.**

21. With regard to road signs in the North Monaghan area, can this Council outline any roads signs that they have decided to update and when this will happen.

**Reply: Replacing of signs is carried out by the Engineering Area and is assessed on the basis of condition and resources available and is an ongoing process.**

22. With regards to the construction of a footpath leading to the housing developments on the Roslea road out of Scotstown. Has this Council made any further enquires in relation to the feasibility of this matter.

**Reply: Preliminary investigations have been carried out. Land acquisition is being advanced.**

**Cllr S. Conlon asked:**

23. To ask the Housing Section to furnish details regarding all Council properties that are offered for letting that do not have oil fired central heating installed to heat the dwelling.

**Reply:** *This information is not recorded. We are currently undertaking a programme of Energy Efficiency upgrades initially focussing on fabric insulations. It is envisaged that this will be followed, subject to financial support, by a programme examining the provision of efficient heating systems for dwellings.*

**Cllr R. Gallagher asked:**

24. Is the Council satisfied that it has sufficient supply of salt to treat the roads in the county over the winter period?

**Reply:** *Monaghan County Council's current stock of salt is 1,750 tonnes. We have an allocation of 3,170 tonnes for national roads and 3,250 tonnes for local and regional roads.*

*The total available stock for the season is 8,170 tonnes. This should be sufficient to treat the roads over 100 times for normal winter conditions.*

25. In relation to the Council housing stock can the Council alert the tenants of same of the safeguards to be implemented in the home in the event of freezing weather conditions?

**Reply:** *The Tenant Handbook that is provided to each tenant contains advice regarding measures to take during cold weather. The following Cold Weather Advice would apply equally to all occupiers whether in Local Authority or privately owned dwellings.*

**Cold Weather Advice**

**Keep warm:** *During the cold weather try to keep your home fairly warm at all times. If water freezes in pipes or cisterns it can cause serious damage.*

*If you can keep your heating on constantly at its very lowest level. Try to keep temperatures in all rooms above 15 degrees C.*

*It is better to turn your thermostat down and run your heating for longer periods, rather than running it for 2-3 hour bursts at a higher temperature.*

*If you will be away from your house overnight or for a few days leave the heating on its lowest setting to stop the pipes from freezing.*

**Insulate your pipes:** *Insulate all your water pipes that are in cold areas wherever possible. If they are outdoors wrap them in some insulating material like old carpet.*

**Know your stop taps:** *You might need to turn them off in a hurry, so find out where they are. That way you can turn the water off quickly if any pipes leak or your water tank bursts.*

*If you have to leave your house for a few days turn off all stop taps and run off all the water out of the pipes.*

*How can I tell if pipes are frozen? You'll know if water stops flowing from a tap it's frozen. If a pipe starts to leak it's likely that it has frozen, burst and has begun to thaw.*

*What to do if pipes are frozen? If you suspect that you have frozen, burst or leaking pipes, try to minimise damage to your home by doing the following:*

- *Turn off your stop tap immediately*
- *If possible, drain your water system by turning on all the cold taps in the house. Collect as much water as you can in buckets, baths and containers, to use for toilet flushing. Do not use this water for drinking or cooking.*
- *Turn off the boiler or immersion heater and turn on all the hot taps*
- *Make sure your central heating boiler is turned off and don't use solid fuel heating systems*
- *If you know where the frozen pipe is, wrap it in hot towels or warm it from the end nearest the tap with a hairdryer. Do not use a blow torch.*
- *Seek advice from a plumber before turning the heating or water back on*

*If the water supply to a home is frozen and there is no cold water from the cold water tap, then there is very little can be done other than wait for it to thaw.*

*If your neighbours also haven't got water, there may be a problem with the mains water supply in such instances please contact Water Services Section.*

**Cllr R. Gallagher asked:**

26. What is the up to date position in relation to the completion of the works on the N2 between Monaghan Town and Emyvale?

*Reply: Monaghan County Council's site team is engaged in ongoing discussions with the Contractor to ensure that the completion of the works are expedited as quickly and efficiently as possible. These discussions are at a very advanced stage and it is proposed to hold a briefing for the North Monaghan members as soon as the discussions are concluded.*

**Cllr B. McKenna asked:**

27. Will the Council be in a position to resurface the stretch of road in Emyvale village in the near future, from the Centra Supermarket out the Glaslough road to the Garda Barracks?

*Reply: These works will be carried out on the completion of the current N2 realignment works.*

28. Will this Council make an application to the NRA for funding under the Low Cost Safety Improvement Grants towards providing turning lanes on the N12 at junctions

to Tyholland chapel, entrance to the New Houses, Monaghan Mushrooms and the junction to Skinnagin, as these have the potential to lead to serious accidents and loss of life?

**Reply:** *In accordance with the new NRA policies, the NRA is the responsible agency for carrying out the assessment of junction safety on National Roads. The assessments for 2014 are ongoing. Monaghan County Council will have the opportunity to bring to the NRA's attention junctions which are considered dangerous and requiring improvement works.*

**Cllr. N. Keelan asked:**

29. In relation to the very dangerous condition of the wall adjacent to the Patrick Kavanagh Centre in Inniskeen village, which I raised at the May meeting of the Council, has every avenue of possible assistance been explored to have this wall replaced; who is responsible should this wall collapse and cause injury to a pedestrian or other road users?

**Reply:** *The boundary walls are the responsibility of the adjacent property owners.*

30. Is there any indication from the Department that the Local Lane Improvement Scheme will be reinstated in 2014, given that there are over 200 lanes on the list throughout County Monaghan waiting for resurfacing and also given that the families living on these laneways pay the same level of taxes, i.e. Household Charge, Non-Principal Private Residence Tax, full Property Tax 2014 etc as everyone else, but are not getting the same level of service?

**Reply:** *There is no indication of funding for Local Lane Improvement Schemes for 2014 yet.*

31. In relation to the awarding of contracts by Monaghan County Council for a whole range of services, is there provision within the tender process to ensure maximum social and benefits to our county and its people, given that many European countries are going down the route of inserting ( social clauses )into contract documents?

**Reply:** *European regulations require that public service organisations operate in the competitive marketplace in an open, fair and transparent manner, applying the same rules and allowing equal rights of access to everyone, resulting in objectively fair decisions being reached. The European Court of Justice rules on various EU states compliance with the regulations. To provide guidance on the legal complexities of Social clauses for public service organisations, the European Commission produced a manuscript entitled "Buying Social- A Guide to taking account of Social Considerations in Public Procurement" in October 2010. This document explains in a practical way the opportunities offered by the existing EU legal framework for public authorities to take into account social considerations in public procurement.*

32. In relation to the awarding of contracts and the purchase of goods and services at local level, what discretion has our Area Offices in ensuring that local shops, contactors,

service providers etc, are engaged by the Local Authority to provide goods & services?

**Reply:** *The National Procurement Service and the National Procurement Office have been established by the government with the objective of optimising value for money through the aggregation of public service demand on both a National and Regional basis. Circular 06/12 “Public Procurement (Framework Agreements) Mandatory Procurement Requirements” requires public bodies including Local Authorities, to implement the mandatory requirement to utilise central contracts for items such as Stationary and office supplies, Paper, Janitorial supplies, ICT consumables, Managed print services, Advertising and other listed services with effect from 1<sup>st</sup> September 2012. Local Authorities are obliged to follow the instructions issued in Circulars by the Department of Public Expenditure and Reform.*

**Cllr. N. Keelan asked:**

33. In relation to Grant Aid received through the East Border Region, Energy Efficiency and Micro Generation Project for the replacement of windows, at the Glen Council Head Quarters, with high grade energy efficient windows, has the contract been awarded; if so, to what company?

**Reply:** *Following a public tendering procedure the contract has been awarded to Bell Contracts & Co Ltd., Cookstown, Co. Tyrone.*

**Cllr J. Crowe asked:**

34. With the proposed further re alignment of the N53 by Louth County Council, has Monaghan County Council plans to apply for funding to re-align Ballinacarry Bridge to compliment the works carried out by both Louth County Council and Newry and Mourne District Council.

**Reply:** *A Cost Benefit Analysis for this project was carried out in 2009. The responsibility for progressing this project lies with the NRA who are liaising with the Northern Ireland Authority in an attempt to secure funding. Monaghan County Council will continue to argue the case for this project in discussions with the NRA.*

35. What plans has Monaghan County Council in regards to Upper Bree Road in regards to resurfacing and making parking facilities on the industrial side of the road to help alleviate the situation of cars parking on grass verges and footpaths.

**Reply:** *Monaghan County Council will examine the Upper Bree road (LS07850) and include on the Multi annual Road programme for consideration at the next Road Area meeting. The issue of additional parking will be subject to funding being available.*

36. Will Monaghan County Council consider placing signs indicating the village of Oram on existing signs on the R181 and R182 which just show Newtownhamilton only?

**Reply: Monaghan County Council will consider amending the current road sign to include Oram.**

#### **14. Votes of Sympathy/Congratulations.**

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

- Inspector Noel Cunningham, Monaghan Garda Station on the death of his father Patrick, RIP
- Cllr Paudge Connolly on the death of his aunt, Brigid Cassidy, RIP.
- The family of the Omagh man killed in an accident on the N2 at Drummond Otra, Carrickmacross.

**It was agreed that a vote of congratulations be extended to the following:**

- Paul Hannon, whose family hail from Glasmullagh in Truagh on winning the wheelchair section of the Dublin City Marathon.
- Daniel McKenna Scotshouse and Arthur Kierans Aghabog on winning the 2013 British Rally Championship and to Daniel on winning the Pirelli Star Driver Shootout and the BRC Live Media Award and the Fiesta Sporting Trophy.
- Conor McManus, Clontibret on receiving the ‘Man of the Match’ Award at the recent Compromise Rules Series between Ireland and Australia.
- Eamon Ward from Clontibret who won his second SFC medal with Glenswilly of Donegal.
- Gaeil Triucha and Emyvale GFC who secured victories in their 1<sup>st</sup> round matches of the Ulster Club Championships
- Carrickmacross Emmets on winning the Minor Division 1 League and winning the minor double.
- Sean McDermotts GFC on winning the Junior Championship final.
- Mannan Castle Ladies Golf Club team on winning the Miele All Ireland Inter-Club Fourball Championship.

*On the proposal of Cllr Maxwell, seconded by Cllr McElvaney it was agreed that a Civic Reception would be held immediately following the January Council meeting to honour Daniel McKenna and Arthur Kierans on their recent achievements in the British Rally Championship.*

*On the proposal of Cllr McNally, seconded by Cllr O’Hanlon it was agreed that the Mannan Castle Ladies Golf Team who won the All Ireland Inter-Club Fourball Championship be also honoured at the Civic Reception in January.*

#### **17. Conferences**

*On the proposal of Cllr Maxwell, seconded by Cllr Murray 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 Selected</b>   |
|----------------------------|--|--|---------------------------------------|---------------------------|
| <b>TGR Seminars</b>        | Contemporary Overview of Immigration into Ireland                | Bunratty Castle Hotel, Bunratty, Co Clare. | 6 <sup>th</sup> & 7th December 2013   | Cllr O. Bannigan          |
| <b>TGR Seminars</b>        | Putting People First – Update on Local Government Reform to date | Bunratty Castle Hotel, Bunratty, Co Clare. | 13 <sup>th</sup> & 14th December 2013 | Cllr G. Carville          |
| <b>I.C.B.A.N.</b>          | Launch of ICBAN Strategic Framework                              | Slieve Russell Hotel, Cavan                | 22 <sup>nd</sup> November, 2013       | All Sinn Fein Councillors |

### **Urgent Business:**

The Mayor advised the members that he had received six notices of Urgent Business, as follows:

**1. Notice in the names of Cllrs Bennett, Carthy, Conlon, Crowe, Keelan, B. McKenna and P. Treanor.**

*“ That Monaghan County Council write to the Minister for Agriculture, the Minister for Finance and An Taoiseach, expressing its support for the proposal from County Monaghan IFA seeking match funding for the €313m annual EU funding under Pillar 2 of the new CAP programme.*

*Agriculture in Monaghan supports thousands of jobs in the rural economy, both directly in processing and also in the wider agri-industry, including input suppliers, agricultural contractors, transport, engineering, accountancy, legal, veterinary and other advisory services.*

**2. Notice in the name of Cllr P. Connolly:**

*“That in view of the role of the farming community in the economic recovery of our country that Monaghan County Council calls on the Government in relation to Pillar II Rural Development to commit to co-finance the EU allocation of €313m per year at a rate of 50% with national top-ups”*

It was agreed that items 1 and 2 be taken as Urgent Business and discussed together.

In proposing the motion Cllr P. Treanor stated that the issue is currently debated during post budget talks at Cabinet level. He was aware that the IFA had put forward proposals with regard to this funding that would benefit the agricultural section in the county.

**3. Notice in the name of Cllr P. McNally:**

*“That this Council calls on the Government to immediately re-instate phone rental allowance for all Old Age Pensioners so as to ensure that they will be fit to avail of the personal emergency device which is depending on having a telephone land line”*

The Mayor ruled this motion out of order as there was a similar one on the agenda paper under Notices of Motion.

**4. Notice in the names of Cllrs Gallagher, McNally, O’Brien and O’Hanlon**

*“That this Council calls on the Government to immediately instruct the Revenue Commissioners not to seek payment of the property tax from any house owner until 12 months has expired from the original payment”*

**5. Notice in the names of Cllrs Bannigan, Carville, Maxwell, McElvaney and Murray**

*“ That this Council discuss the recent announcement by Revenue regarding the payment details for the 2014 property tax.”*

**6. Notice in the names of Cllrs Bennett, Carthy, Conlon, Crowe, Keelan, B. McKenna and P. Treanor.**

*“ That this Council calls on the Revenue Commissioners to withdraw their premature demands for payment of the 2014 local property tax.*

It was agreed that motions 4, 5 and 6 be taken as Urgent Business and discussed together.

In proposing the motion, Cllr Conlon stated that the action of the Revenue Commissioners in regard to the credit/debit card payment of the 2014 charge in 2013 was out of order, and particularly in the run up to Christmas when many households were already under pressure for finance. In seconding the motion, Cllr Bannigan stated that he couldn’t stand over a situation where people were being asked to pay for the property tax twice in one year. Cllrs McNally, Gallagher and S. Treanor also concurred with the sentiments expressed by the previous speakers.

The Mayor put the three motions to the meeting - all motions were adopted.

The meeting then concluded.

Signed: \_\_\_\_\_  
Meara

\_\_\_\_\_  
Meetings Administrator

Date: \_\_\_\_\_

\_\_\_\_\_