

**Minutes of Meeting of Monaghan County Council held in the Mtek Building, Knockaconny, Monaghan on Monday 5<sup>th</sup> October, 2009 at 10.00 a.m.**

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

**Present:** Cllrs. Bannigan, Carthy, Carville, Conlon, Connolly, Coyle, Crowe, Gallagher, 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, and Ms. C. Thornton, Meetings Administrator.

**Apology:** Cllr S. Treanor.

**1. Minutes:**

- (i) *On the proposal of Cllr Carville, seconded by Cllr McElvaney it was agreed that the minutes of the Council meeting held on 7<sup>th</sup> September, 2009, be confirmed.*
- (ii) *On the proposal of Cllr Carville, seconded by Cllr Treanor it was agreed that the minutes of the special meeting held on 21<sup>st</sup> September, 2009 be confirmed.*

**2. Correspondence:**

The following correspondence was circulated to Members:

- Letter from Taoiseach's Private Office in relation to Monaghan Hospital
- Letter from the Minister for Transport in relation to the management of the regional and local roads programme.
- Letter from Deputy Ó Caolain enclosing correspondence from the Minister for Agriculture in relation to Ballybay Agricultural Office.
- Letter from the North Monaghan Job Initiative Ltd in relation to An Bord Snip's recommendation to axe the job initiative programme.
- Resolution from South Tipperary County Council in relation to the re-introduction of third level tuition fees.
- Resolution from Dublin City Council in relation to the use of plastic bullets by PSNI.

**Proposals arising out of correspondence:**

**Department of Agriculture Office, Ballybay:**

*Cllr Crowe proposed, Cllr Bannigan seconded that this Council call on Minister Brendan Smith, T.D., to drop his decision to gut the services to Monaghan farmers by declaring his intention to retain all services at Ballybay Agriculture Office including all District Veterinary staff ”*

The Mayor put Cllr Crowe's proposal to the meeting. A recorded vote was taken which resulted as follows:

**For:** Cllrs. Bannigan, Carthy, Carville, Conlon, Connolly, Coyle, Crowe, Gallagher, Keelan, Maxwell, McElvaney, B. McKenna, S. McKenna, McNally, O'Brien, O'Hanlon, and P. Treanor. **Total 18**

**Against:** Nil

The Mayor declared the proposal carried.

*It was further agreed that the motion would also include the Monaghan Agriculture Office.*

*On the proposal of Cllr Bannigan, seconded by Cllr Carville it was agreed to request the Minister for Agriculture, Mr. Brendan Smith, T. D to outline what services will be left in Ballybay and that he meet with a deputation from the Council to discuss the matter.*

### **Monaghan Hospital:**

*"That this Council write to Mr. John Gormley, TD, Leader of the Green Party requesting him and the Green Party to adhere to the pledge signed by his party in the lead up to General Election 2007 (stating that the Green Party would not enter government unless services at Monaghan General Hospital were restored, retained and developed) and not to agree a new programme of Government unless there are specific proposals agreed during those negotiations in relation to the return of acute medical services to Monaghan General Hospital "*

*Cllr B. McKenna proposed, Cllr S. McKenna seconded that if Monaghan County Council don't get a meeting with a Government Minister who is visiting the county on the day of the visit then the Council members should protest at the event the Minister is attending. The invitation to protest to be extended to all elected members in County Monaghan.*

Cllr McNally stated that, should the proposal be adopted by the Council, the Fianna Fail members will not be partaking in these protests.

The Mayor put Cllr B. McKenna's proposal to the meeting. A recorded vote was taken which resulted as follows:

**For:** Cllrs. Bannigan, Carthy, Carville, Conlon, Connolly, Crowe, Humphreys, Keelan, McElvaney, B. McKenna, S. McKenna and P. Treanor. **Total 12**

**Against:** Cllrs Coyle, Gallagher, McNally, O'Brien, O'Hanlon **Total 5**

**Abstentions:** Cllr Maxwell **Total 1**

The Mayor declared the proposal carried.

*On the proposal of Cllr Carthy, seconded by Cllr B. McKenna it was agreed that the Council write to each Government Minister advising that if they intend to visit County Monaghan for an official engagement that they would allocate 10-15 minutes of their schedule to meet with a deputation from Monaghan County Council to discuss Monaghan General Hospital and other issues relevant to the county.*

**North Monaghan Job Initiative:**

*On the proposal of Cllr Treanor, seconded by Cllr Humphreys it was agreed to support the proposal from the North Monaghan Job Initiative and that it be forwarded to the Minister for Enterprise, Trade and Employment.*

**Motions from other local authorities:**

*On the proposal of Cllr Carthy, seconded by Cllr B. McKenna it was agreed to adopt the resolution from Dublin City Council in relation to the recent use of plastic bullets by the PSNI.*

*On the proposal of Cllr Carthy, seconded by Cllr B. McKenna, it was agreed to adopt the resolution from South Tipperary County Council in relation to proposals for the re-introduction of third level tuition fees.*

**3. To approve an overdraft facility for period 1 January 2010 to 30 June 2010:**

*On the proposal of Cllr McNally, seconded by Cllr Maxwell it was agreed that the Council approve an overdraft facility in the sum of €10m for the period from 1<sup>st</sup> January 2010 to 30<sup>th</sup> June, 2010.*

**4. To consider Section 183 Notices:**

**(i) Disposal of land at Bree, Castleblayney:**

*On the proposal of Cllr Crowe, seconded by Cllr Connolly it was agreed that the Council approve of the disposal of 8.44 square metres of land in the townland of Bree, Castleblayney to the Electricity Supply Board in accordance with notice dated 9<sup>th</sup> September, 2009 under Section 183 of the Local Government Act 2001, with the proviso that the site be fenced off by the Electricity Supply Board.*

**(ii) Disposal of land at Cuirt Ui Mheith, Scarnageeragh, Emyvale:**

*On the proposal of Cllr Gallagher, seconded by Cllr Connolly it was agreed that the Council approve of the disposal of 5.47 square metres of land at Cuirt Ui Mheith, Scarnageeragh, Emyvale to the Electricity Supply Board in accordance with notice dated 9<sup>th</sup> September, 2009 under Section 183 of the Local Government Act 2001, with the proviso that the site be fenced off by the Electricity Supply Board.*

**4. (iii) Disposal of land at Ardbannagher, Drumbannagher, Glaslough:**

*On the proposal of Cllr Maxwell, seconded by Cllr Gallagher it was agreed that the Council approve of the disposal of 8.67 square metres of land at Ardbannagher, Drumbannagher, Glaslough, to the Electricity Supply Board in accordance with notice dated 9<sup>th</sup> September, 2009 under Section 183 of the Local Government Act 2001, with the proviso that the site be fenced off by the Electricity Supply Board.*

**5. To consider recommendations from Corporate Policy Group:**

**(i) Revised Road Areas and allocation of funding:**

The Members considered the report dated 2<sup>nd</sup> September, 2009 from Mr. D. Fallon, Director of Services in relation to this matter. It was agreed that special joint Road Area Committee meetings would be held as follows to discuss the revised road areas and the allocation of funding.

**19<sup>th</sup> October, 2009 – Venue: Mtek Building**

North Monaghan and Clones Road Area Committees	9.30 a.m.
Clones and Castleblayney Road Area Committees	10.30 a.m.
Castleblayney and Carrickmacross Road Area Committees	11.30 a.m.

**(ii) Draft County of Monaghan Bye Laws for the regulation of personal water craft (jet skis) 2009**

The Members considered the report from Ms. E. McShane, SEO Environment, enclosing copy of the draft County of Monaghan Bye Laws for the Regulation of Personal Water Craft (jet skis) 2009. The draft bye laws were presented to the Corporate Policy Group at its meeting on 31<sup>st</sup> August where it was recommended that they be considered by the full Council before placing on public display.

*On the proposal of Cllr Carville, seconded by Cllr Crowe it was agreed that the Council proceed to place the draft County of Monaghan Bye Laws for the Regulation of Personal Water Craft (jet skis) 2009, on public display and invite submissions from the general public.*

**(iii) Lough Muckno:**

Cllr McNally referred to a leak of information in relation to confidential discussions on Lough Muckno which had taken place at a meeting of the Corporate Policy Group and which had ended up in the public domain. Members and officials who were present at that meeting denied responsibility for the breach in protocol. The Mayor called for operating principles to be drawn up for the members of the CPG to adhere to. She re-iterated that items discussed by the CPG should remain confidential until such time as they are discussed by the full Council.

*It was agreed on the proposal of Cllr McNally, seconded by Cllr McElvaney that the Council discuss matters relating to Lough Muckno estate "in committee".*

The County Manager updated the Council in relation to Lough Muckno. He stated that the legalities regarding the High Court case with Harinbrook had now been completed and that the Council had taken possession of the property. Reports in the local media that the Council had paid considerable compensation were totally untrue. No compensation was paid by the Council. The proceeds of the insurance claim in respect of the Annex will be paid in full to Monaghan County Council. The Council agreed to pay the legal costs of the High Court case on behalf of Harinbrook in order to finalise the matter.

The Manager then outlined the legal position in relation to Chris Haren's tenure in Hope Castle. The matter was discussed by the CPG in August and September when it was decided to recommend that the Council should proceed with the court proceedings against Mr. Haren. This was agreed by the Members.

The Manager advised the members that a preliminary report on the estate had been prepared by Adrian Hughes, Senior Planner and had been considered by the members of the Corporate Policy Group at their meeting on the 21<sup>st</sup> September, 2009.

Following a debate on the matter to which a number of Members contributed, the Manager suggested that the Council seek legal advice from Mr. Pat Butler, S.C. in relation to Mr. Haren's tenure in the castle. This was agreed unanimously.

The Manager advised the meeting that any disposal of any of the Lough Muckno estate property by lease or otherwise, shall be by public advertisement in the national/local newspapers.

*On the proposal of Cllr McElvaney, seconded by Cllr Maxwell it was agreed that the Council proceed to defend the legal action against Chris Haren in the Circuit Court.*

At this point the Council agreed to return to public session.

### **Removal of Posters:**

In response to queries from Members the Manager stated that he wished to refer to a letter in the Northern Standard newspaper from the Mayor of Monaghan Town Council, Cllr Conlon, in relation to the removal of posters by Monaghan Town Council Staff relating to the Lisbon Treaty Referendum. He stated that he instructed staff in the County and Town Councils to remove any poster (Yes and No) that did not comply with the Electoral Act 1992 (as amended) i.e. posters that did not have the name and address of the printer and the publisher on them. He stated that the Constitution was the bedrock of our democratic system, the rule-book upon which the whole country was run. The law had to be upheld in regard to the Referendum. He felt that mixing up local issues like farming payments and the Monaghan Hospital with amending the Constitution was wrong.

Cllr Conlon stated that he was conveying the sentiments expressed to him by members of the public. He added that the posters in question had been up for some time and he wanted to emphasise that Sinn Fein had nothing to do with the posters. He stated that

free speech was also the bedrock of democracy and that he would continue to challenge any member of the executive if he felt there was not a level playing pitch or equality of treatment in the provision of services to the public.

**6. To elect representatives to the following Committees:**

**(i) County Monaghan Heritage Forum:**

It was agreed that the following members be nominated to the County Monaghan Heritage Forum – **Cllrs H. Humphreys, J. Crowe, S. Coyle and P. Connolly.**

**(ii) BMW Regional Assembly:**

It was agreed that Cllr M. Carthy would replace Cllr B. McKenna on the Border, Midlands and Western Regional Assembly.

**7. To receive Minutes of meeting with National Roads Authority:**

The Members noted the minutes of the meeting between the National Roads Authority and a deputation from the Council which took place on 21<sup>st</sup> July, 2009.

It was agreed to take Notice of Motion 17(a) in conjunction with this item.

Cllr Connolly proposed, Cllr B. McKenna seconded

*“ That in view of the response from the NRA on 21 07 09 and their statement to the Monaghan County Council delegation "that the Government set the agenda for the NRA" this Council seek an urgent meeting with the Minister for Transport to ensure that the N2 Emyvale bypass from Clontibret to Northern Ireland Border will be prioritised and that start and completion dates are established. ”*

The Mayor put Cllr Connolly's motion to the meeting and it was agreed unanimously.

*On the proposal of Cllr Maxwell, seconded by Cllr Gallagher, it was agreed that this Council put together a proposal to obtain funding to ease the bends on the N2 Monaghan to Emyvale road, and forward to the National Roads Authority and also that the Council would discuss the matter with the Minister for Transport.*

**8. Strategic Policy Committees – Adoption of Draft Scheme:**

Mr. P. Clifford, Director, advised the meeting that the draft Scheme for the Implementation of the Strategic Policy Committees 2009-2014 had been placed on public display. Submissions had been invited from the general public. One submission was received from Monaghan Community Forum. The Community Forum requested that an additional community place be added to the Planning & Development policy SPC to permit that body to be represented on this committee.

*On the proposal of Cllr P. Treanor, seconded by Cllr B. McKenna, it was agreed that an additional community place be added to the Planning & Development Policy SPC.*

*On the proposal of Cllr Carville, seconded by Cllr B. McKenna it was agreed that the Council adopt the draft Scheme for the Implementation of the Strategic Policy Committees 2009-2014, subject to the amendment outlined above.*

**9. To re-appoint external members of the Audit Committee:**

*On the proposal of Cllr Carville, seconded by Cllr Crowe it was agreed that the Council approve the re-establishment of the Audit Committee in accordance with Section 122 of the Local Government Act 2001 as amended by Section 5 of the Local Government (Business Improvement Districts) Act 2006 and that Mr. Eamon Callaghan, Mr. Gerry Magee and Mr. Desmond Sheridan be confirmed as the external members of the Committee. Cllrs Sean Conlon and Heather Humphreys, having been appointed to the Audit Committee at the first meeting following the local elections, held on the 19<sup>th</sup> June, 2009*

**10. National Disability Strategy Funding:**

Mr. Aidge King, Director circulated details of the proposed allocations under the National Disability Strategy Fund 2009. The funding is targeted at improving access to public buildings, public spaces/footpaths/pedestrian crossings, signage/lighting. Funding has been allocated to various projects throughout the county. The programme of activities and proposed funding allocations were agreed by the Disability Act Steering Committee on 26<sup>th</sup> August, 2009.

The Members welcomed the proposed allocation of funds under the National Disability Strategy Fund 2009.

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

There was no debate on this item.

**12. To receive reports from Members attending Conferences:**

The Members noted the reports from Cllrs Bannigan, Carville, Connolly, Humphreys, Maxwell, McElvaney, McNally, Murray, O'Brien and P. Treanor, in respect of their attendance at the following conferences:

- William Carleton Summer School, Clogher, Co. Tyrone
- MacGill Summer School, Glenties, Co. Donegal
- Third Sector Forum - Ireland at the Crossroads, Kingsley Hotel,
- John Hewitt Society Summer School, Armagh
- Humbert Summer School, Ballina, Co. Mayo
- AMAI Annual Conference, Killarney, Co. Kerry.
- Benedict Kiely Literary Weekend Conference, Omagh, Co. Tyrone
- Role of Community & Voluntary Fora, Cavan Crystal Hotel, Cavan.

**13. Business submitted by County Manager**

There was no business submitted by the County Manager.

**14. Matters arising out of the minutes of Council meetings held on 7<sup>th</sup> and 21<sup>st</sup> September, 2009.**

Matters arising out of the minutes were responded to by the appropriate officials.

In response to a query from Cllr Coyle in relation to the Dromore River System it was agreed to write again to Cootehill Town Council expressing disappointment at the Council's response that the river system is beyond the control of the council because of the jurisdiction of boundaries and requesting them to reconsider the matter.

**15. Address by His Excellency Mr. Pat Binns, Canadian Ambassador to Ireland:**

The Mayor welcomed His Excellency Mr. Pat Binns, Canadian Ambassador and Ms. Suzanne Cormie, Senior Trade Commissioner for Ireland to the meeting. She also welcomed Mr. Willie McKenna, former Councillor and Mr. Tony Murphy, former County Secretary who were accompanying the Ambassador.

The Mayor acknowledged the Ambassador's long history of public service most notably being the 30<sup>th</sup> Premier of Prince Edward Island, holding office for 11 years from 1996 to 2007 during which time you achieved great success. As Premier of Prince Edward Island from 1996 to 2007 he achieved success in many areas including economic growth, new business investment, economic diversification, export and tourism growth, and investment in infrastructure such as education and health care. She stated that the Ambassador brings with him a wealth of experience and knowledge in all of these matters and the Council would be particularly interested in hearing his views on how a small rural based county like ours, quite similar to Prince Edward Island, can address our current economic difficulties and identify opportunities to achieve success.

The Mayor continued that there was great excitement and delight in Co Monaghan when the Council learned of his appointment as Canadian Ambassador to Ireland because of his long and valued association with our county and we were especially proud as his grandfather was originally from Castleshane in Co Monaghan. She wished him well in his tenure as Canadian Ambassador and hoped that further economic links can be forged with Prince Edward Island and County Monaghan that will be mutually beneficial.

The Mayor then invited the Ambassador to address the Council.

In his address, Ambassador Binns thanked the Council for the opportunity to address it. He referred to the lasting links that have been established between Monaghan and Prince Edward Island and other areas of Canada. He paid tribute to the entrepreneurial spirit of Monaghan people and expressed the view that this spirit would carry the county through the current recession. He stated that there is a lot of potential for Ireland and Canada to create new partnerships and opportunities



The Mayor then presented a piece of Clones Lace to the Ambassador who in turn presented the Mayor with an “Inukshuk”.

Ms. Suzanne Cormie, Senior Trade Commissioner for Ireland then addressed the Council. She explained that whilst only two weeks in Ireland her role will be to enhance trade links between Canada and Ireland – that could include companies here looking to source Canadian products such as raw materials and components; it could be investment from Canada to Ireland and vice-versa; it could also be things like joint ventures or partnerships. She stated that Canada is very much open for business. She thanked the Council for the opportunity to speak at the meeting.

The Mayor then thanked Ambassador Binns and Ms. Cormie for addressing the meeting and looked forward to a continued partnership and new opportunities between Canada and Ireland and more particularly County Monaghan.

## 16. **Questions:**

**Cllr P. McNally asked:**

1. Has this Council re-examined the application for funding for Billy Brennan’s loft, as promised, in light of the fact that they funded the re-building of the store in 2008 with an understanding that grant aid would be forthcoming to re-roof it in 2009.

**Reply: Yes. The application was deemed ineligible as it did not include critically requested information. It is not unusual that a project that received funding in one year would not be successful with an application the following year.**

2. Will this Council be making an application for further funding for the continued upgrade of the Carrickmacross Shercock Road to the Department of Transport?

**Reply: An application for funding for 2010 has been made to the Department of Transport for the continuation of works on the R178 Carrickmacross - Shercock Road.**

3. When does this Council expect to see the permanent restoration of the effected roads in Carrickmacross, as a result of the sewage works?

**Reply: Monaghan Co. Co. will undertake permanent reinstatement following completion of ‘the whole of the works’ on a road by road (sectional basis). Permanent reinstatement is complete on Farney Street, Chapel Lane and the upper section of the Ballybay Road. Permanent reinstatement will also be completed on Parnell St. and O Neill St. by the end of 2009.**

**While pipe laying works on a number of approach roads are complete, at this time, there are still outstanding issues (Snag List) to be addressed by the contractor. For this reason, Monaghan Co. Co.’s selection of affected roads is limited to a small number of roads where all works are complete. It is hoped that permanent reinstatement will be undertaken on the Kingscourt, Magheross and the Ballybay road before the year end.**

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

**Cllr A. Murray asked:**

4. Will the Council consider putting in place road safety measures at the junction known as Roe's Cross on the Carrickmacross Road?

**Reply:** *The Council will investigate this location and place it on the Agenda for discussion at the next Road Area Meeting.*

5. What is the completion / opening date for the Carrickmacross recycling centre on the Convent Lands?

**Reply:** *It is anticipated that the completion of construction and the opening date will coincide in June 2010.*

**Cllr B. McKenna asked:**

6. What steps are this Council taking to counter the unsociable activity taking place adjacent to the O.P.D. dwellings at Cois Locha, Emyvale, most recently the damage to the wire fencing adjacent to the pensioners dwellings. When will this fencing be replaced?

**Reply:** *The Council will be carrying out repairs to the fence as soon as possible.*

7. When the new playground was being installed at Cois Locha, Lakeview, Emyvale, we were assured it would be locked at nighttime. Why is it not locked anymore? When will repairs be carried out to the playground as a result of the vandalism there?

**Reply:** *The new playground was installed in 2007. It was agreed with the local residents association that a fence would be provided around the playground to enable it to be locked at night. A key was then provided by the Council to the association so that they would ensure the playground was opened and locked daily 7 days a week. The Council will contact the association to establish why it is not being locked at present. Repairs required to the playground have been identified and will be carried out shortly.*

**Cllr S. McKenna asked:**

8. What is the up to date position with regard to the proposed extension of Scotstown sewerage scheme?

**Reply:** *A topographical level survey has been conducted of all the houses & associated roads, which could be connected to the scheme and sites earmarked for 2No pumping stations. However due to financial constraints within the budgets of Water Services, it is unlikely to proceed for some time.*

9. Could the Council, in the interest of safety for residents and school going children, investigate the possibility of continuing the footpath from Gola Crest into Scotstown village?

**Reply:** *Monaghan County Council will investigate the possibility of continuing the footpath and the associated costs from Gola Crest into Scotstown village. The matter can be discussed at the next Road Area Meeting.*

**Cllr S. McKenna asked:**

10. Could the Council replace the rumble strips from the Knockatallon road into Scotstown village as a means of traffic calming?

**Reply: *Monaghan County Council will investigate the possibility of renewing traffic calming measures and the associated costs along the Knockatallon road into Scotstown village.***

**Cllr S. Coyle asked:**

11. Will Monaghan County Council examine what further measures can be put in place to reduce the speed of vehicles passing through the village of Newbliss, as local residents are concerned for the safety of pedestrians, particularly children.

**Reply: *Monaghan County Council will review what further measures could be provided within the village. This issue will be forwarded to the next Collision Prevention Programme Meeting with the Gardai .***

12. Will Monaghan County Council apply for road safety improvement works to be carried out at the junction known locally as the Fivecrosses, Latton, (R162-10), as this is a very busy junction under the Low Cost Safety Scheme?

**Reply: *Monaghan County Council has included this junction in the 2010 Low Cost Safety Improvement Scheme funding application to the Department of Transport.***

**Cllr S. Conlon asked:**

13. Several street lights have been repaired in Glaslough village recently however one still is not functioning - will the local Area Office contact the ESB seeking repairs and also convey the disappointment of local residents as to the very slow response time to repairing lights.

**Reply: *The Area Office was in constant contact with ESB contracts during the summer months regarding the public lighting in Glaslough Village and as to when the repairs will be completed. The ESB did outline a number of reasons for the delay in getting some of the street lights repaired.***

- *One damaged decorative pole had to be sourced in the UK, as they were not manufactured in Ireland.*
- *Tree branches from the adjoining property had overgrown and obstructed access to replace lampheds on existing poles. The branches had to be trimmed by the land owner before access was available to carry out the works.*

***The Area Office will contact the ESB again as to why there is one public light still not functioning.***

14. In support of a recent proposal at a Monaghan Town Council meeting for the installation of a pedestrian crossing at St. Macartans College, can the Roads Section make contact with the National Roads Authority emphasising the genuine need for this to be put in place as soon as possible.

**Reply: Monaghan County Council will discuss the matter with the NRA as soon as possible and will ask their Inspector to assess the situation on the ground on the occasion of his next visit to the county.**

**Cllr J. O'Brien asked:**

15. Has the traffic warden been implemented in Ballybay? How frequently does Monaghan County Council envisage the traffic warden will be on duty in Ballybay?

**Reply: The Traffic Warden has commenced duty in Ballybay and will be in the Town one day per week. The day of attendance will vary from week to week.**

16. When does Monaghan County Council propose to start work on the Clones Road junction in Ballybay?

**Reply: The Part 8 planning has been received. A number of conditions arising from the planning will require further reports prior to works commencing. As a result it is unlikely that any construction works will commence until 2010.**

17. Can Monaghan County Council look at the possibility of putting in place a play-park in the first housing estate in Doohamlet?

**Reply: The Council will examine the possibility of providing a playground in the estate subject to funding being available.**

18. What works are to be carried out on the main street in Castleblayney from Lidl to the roundabout and when will the road surfacing commence?

**Reply: The upgrading of sections of footpaths is complete. The road surfacing commenced on 29th September.**

**Cllr M. Carthy asked:**

19. With regard to the Mortgage Protection Insurance (death cover) operated by Monaghan County Council which is in place for Affordable Housing residents:

a) Will the Council give a report on the implementation of the scheme; since when has the scheme been implemented by Monaghan County Council; how does the scheme operate; how many households are currently covered etc?

b) How many residents have sought the right to withdraw from this scheme to secure alternative cover?

c) In how many cases did Monaghan County Council initially advise that residents could partake in an alternative scheme (and latterly attempt to withdraw)? Why was this consent given in these cases and not in others? Has the Council received legal advice as to whether that previous granted permission could now be withdrawn?

d) In how many cases did Monaghan County Council not receive payment for this insurance cover for a period of time as residents were covered by another policy (without the express written consent of the Council)? Why was this practise permitted? Has the Council sought legal advice as to whether these residents can now be compelled to return to the Council policy considering they were not included for so long?

e) What is the cost per household of the scheme operated by the Council? What cover is provided?

f) If the Council policy is mandatory why was at least one household initially refused cover only to be informed several years later that they **must** partake?

g) In cases where direct debit mandates have been signed by residents for the transfer of mortgage payments does the council consider it has the right to include payment for insurance policy if consent has not been expressed by the account holder?

**Reply:** *All applicants for housing loans with Monaghan County Council are advised of the mandatory requirement to participate in the group insurance scheme, at time of application. The principle of the national group scheme for County Council housing loans is that all participants are provided with Mortgage Protection Insurance cover at an affordable cost related to their repayments. The terms and conditions of the affordable loan require that they participate in the group Mortgage Protection Insurance scheme, provided by the Department of the Environment, Heritage and Local Government, the Housing Finance Agency and the local authorities.*

*The group insurance scheme is publicly tendered on a regular basis, the most recent in 2008, and is presently operated by Marsh (Ireland) Ltd. on behalf of the Mortgage Protection Committee. In response to Dail questions on this matter, the Minister of the Environment, Heritage and Local Government has expressed his satisfaction with the terms and conditions of the scheme and has pointed out that altering the condition requiring all borrowers to participate would have a negative impact on the group scheme and increase costs for all existing borrowers.*

*17 borrowers were given incorrect advice by Council officials in the Housing Department and permitted to obtain alternative cover. Having examined the conditions of the affordable loan scheme and consulted Marsh (Ireland) Ltd., the Council wrote to all 17 borrowers to advise them that their participation in the group Mortgage Protection Insurance scheme was mandatory and that their monthly repayments would be increased from 1 September 2009 to meet their contribution.*

*Monaghan County Council apologises for the error made in the past, however none of the 17 borrowers have been penalised by virtue of obtaining alternative cover to date. Clarification has been received from the Department of the Environment, Heritage and Local Government and participation in the group scheme is mandatory. The Council has re-admitted these borrowers back into the group scheme with effect from 1 September 2009.*

**Cllr M. Carthy asked:**

20. How many social housing units has the Council allocated since January 2008? Of these, how many allocations were refused by those offered (Number and percentage)? Of those applicants who refused an allocation how many a) were subsequently housed at an alternative address by either the local authorities or a voluntary housing agency or b) remain on the council's housing list.

**Reply:** *Monaghan County Council allocated 133 housing units since January 2008. Offers of tenancy were refused by 32 applicants for housing amounting to 24% of those offered tenancies. Two applicants were subsequently housed and the balance of those who refused offers remain on the housing waiting list.*

**Cllr M. Carthy asked:**

21. How much funding (including government grants and the council's own resources) was spent on the upkeep, maintenance and resurfacing of local roads in County Monaghan from January – September this year? How much is the figure expected to be by year end? What was the corresponding figure for 2008?

**Reply:** *Expenditure on local roads from January to 3rd October this year is €5.6 million. The expected expenditure to the end of the year is estimated to be €8.1million. Expenditure in 2008 was €10.5 million.*

22. Will the Council agree to place road markings at the entrance of the Foxfield housing estate, Carrickmacross to improve road safety?

**Reply:** *The request to place road markings at the entrance of the Foxfield housing estate, Carrickmacross to improve road safety will be examined by the Council.*

23. When will the promised booster pump be installed at the Lurgans, Carrickmacross, to increase water pressure in the area?

**Reply:**

- *The process of sourcing a suitable booster pump is ongoing at present, and we will be carrying out the preparation works (water main diversion, valves, ducting, new kiosk) in October 2009.*
- *The option for using surplus pumps from another scheme is being considered at present, which would be a significant cost saving to this current proposal.*
- *Water Services have applied for an ESB connection for the proposed booster pump, and we are awaiting confirmation from ESB on the timescales for provision of the electricity supply. We plan to have all the infrastructure in place to ensure commissioning of the pump can be carried out swiftly once ESB power is available.*

**Cllr N. Keelan asked:**

24. In relation to Inniskeen Village:

- Has the Council any plans to extend the sewerage collection network out to Ednamo to service the Council housing development and other private dwellings in the area?
- How much would these works cost?
- How much does the Council spend annually on sludge disposal at the plant of Ednamo, given that this plant has never worked properly?

**Reply:**

- *Plans to extend sewerage collection system: a design has been completed for a new pumping station, rising main and gravity sewer, which will transfer sewage from the Ednamo area (including the church) to the gravity sewer system at Inniskeen village. The total length of sewer proposed is 845 metres, of which 300 metres is rising main, 325metres is gravity sewer and 220 metres is a gravity sewer from the church area back to the pumping station.*
- *Cost: estimated at €88,600 (ex VAT). Cost is based on annual tender figures, and average cost from pumping station suppliers.*
- *Sludge disposal costs: costs from January to September 2009 are €3,440.80. Pro-rata cost for whole year is €4,600.*

**Cllr N. Keelan asked:**

25. How many staff has been let go from the Council in the last 12 months, and in light of staff shortages what effect will this have on our ability to deliver crucial services such as housing, disability grants, housing aid for the elderly etc.?

**Reply:** *Since 1 October 2009, 21 temporary contracts for staff have not been renewed.*

26. Will permanent reinstatement of some, or all, of the approach road to Carrickmacross town be undertaken before year end given the unacceptable condition that these roads have been in for a long period of time as a result of the ongoing works?

**Reply:** *Monaghan Co. Co. will undertake permanent reinstatement following completion of 'the whole of the works' on a road by road (sectional basis). Permanent reinstatement is complete on Farney Street, Chapel Lane and the upper section of the Ballybay Road. Permanent reinstatement will also be completed on Parnell St. and O'Neill St. by the end of 2009.*

*While pipelaying works on a number of approach roads are complete, at this time, there are still outstanding issues (Snag List) to be addressed by the contractor. For this reason, Monaghan Co. Co.'s selection of affected roads is limited to a small number of roads where all works are complete. It is hoped that permanent reinstatement will be undertaken on the Kingscourt, Magheross and the Ballybay road before the year end.*

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

**Cllr R. Gallagher asked:**

27. The picnic area along the N2 at the Clara turn, north of Ballyoisin is currently in a very poor state of repair. This area is the first available area for visitors to pull in off the road after crossing the border at Aughnacloy and the last leaving Monaghan before crossing the border. At present some of the wooden seats are missing and large nails are clearly visible where wood has rotted away. The information boards are also faded and unkempt. Could the Council initiate a scheme of repair or upgrading of the outdoor furniture and information boards in order to ensure a more welcoming area for visitors?

**Reply:** *Yes. The Council will seek funding opportunities to undertake work as outlined above.*

**Cllr R. Gallagher asked:**

28. Has there been any progress regarding the siting of signs for the hotels in Monaghan from the N2 bypass?

**Reply:** *Monaghan County Council is still in discussions with the NRA with regards to the type and location of signs to be provided for hotels in Monaghan on the N2 approaches to Monaghan Town. The Council will make every effort to expedite the matter as we are aware of the concerns of Councillors and the business community.*

### **Urgent Business:**

The Mayor advised the Members that she had received a notice of Urgent Business from Cllr Connolly, as follows:

*“ That Monaghan County Council calls on the Taoiseach and Minister for Social and Family Affairs to publish the National Carers Strategy as committed to in the Social Partnership Agreement – Towards 2016 and in the programme for Government as a matter of principle ”*

It was agreed to take deal with the urgent business in accordance with Standing Order 14.2.

In moving the motion Cllr Connolly stated that carers have no rights or protection under Irish law and that he is concerned for Carers having regard to the recent recommendations contained in the McCarthy report. There has been a reduction in home help numbers and there is not enough respite care to meet current demands. Cllr Carthy seconded the motion and paid tribute to the excellent work undertaken by carers despite the low level of financial remuneration they receive. Carers do not get the level of recognition from Government that they deserve. A number of Councillors spoke in favour of the motion.

The Mayor then put Cllr Connolly’s motion to the meeting and it was agreed unanimously.

### **17. Notices of Motion:**

#### **(b) Cllr Carthy proposed, Cllr Keelan seconded -**

*That this Council calls for an extensive review of policies and procedures regarding the responsibilities of dog owners. We particularly call for the introduction of legislation compelling the micro-chipping of all dogs by their owners. Recognising the fantastic work carried out by the Council Dog Shelter and voluntary animal welfare organisations such as the MSPCA we believe that there is too high of a rate of healthy dogs being ‘put down’ and this is a result of the failures of a minority of dog owners to live up to their responsibilities.*

*We deplore the practice of ‘puppy farming’ which sees dogs being bred for profits and destroyed or abandoned when considered unsuitable or unsold.*

The Mayor put Cllr Carthy’s proposal to the meeting and it was agreed unanimously.

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

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

- Clontibret O’Neills GFC on winning the Monaghan Senior Football Championship Final and extending good wishes in the upcoming Ulster Senior Club Championship.



## 18. Votes of Congratulations (contd):

- Tyholland GFC U-13 team on winning the Division 3 League
- Emyvale GFC on winning the Monaghan Junior Football Championship Final
- Emyvale Ladies GFC on winning the All Ireland 7-a-side Club Competition.
- Truagh Camogie Team on winning the County Camogie League Title.
- Scotstown GFC Minor Football team on winning the County Minor Championship.
- Carrickmacross GFC U-16 team on winning the Under 16 double
- Corduff GFC Minor football team on winning the County Minor Football Championship.

## 19. Conferences

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

<b>Promoting Authority</b>	<b>Subject/ Theme</b>	<b>Venue</b>	<b>Dates</b>	<b>Cost</b>	<b>Members</b>
<b>Local Authority Members Association</b>	<b>LAMA Annual Winter Seminar</b>	<b>Carlton Castletroy Park Hotel, Dublin Rd., Limerick</b>	<b>6<sup>th</sup> – 7<sup>th</sup> November, 2009</b>	<b>€650</b>	H. Humphreys H. McElvaney O. Bannigan A. Murray S. Coyle P. McNally P.J. O'Hanlon J. Crowe P. Connolly

**The meeting then concluded.**

Signed: \_\_\_\_\_  
Meara Meetings Administrator

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