

Minutes of meeting of Monaghan County Council held in the Mtek Building, Armagh Road, Monaghan on Monday 3rd September, 2012, 2012 at 10.00 am.

Chair: Cllr H. McElvaney, Mayor.

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

Mr. D. Fallon, A/County Manager, Mr. P. Clifford and Mr. A. King, Directors of Service, Mr. J. Murray, Head of Finance, Mr. J. McGrath, Senior Engineer, Mr. A. Hughes, Senior Planner, Mr. B. Clerkin, Assistant Planner and Ms. C. Thornton, Meetings Administrator.

At the outset the Mayor presented the Acting County Manager with a picture that had been presented to him during his visit to Miramichi, Canada in July 2012.

1. Confirmation of Minutes:

- (i) *On the proposal of Cllr Carville, seconded by Cllr S. Treanor it was agreed that the minutes of the Council meeting held on 2nd July, 2012, be confirmed.*

The Meetings Administrator referred to a correction on page four of the minutes of the Special meeting on 26th July. The proposer of the motion in relation to the board of the Garage Theatre was recorded as Cllr Coyle but should have been recorded as Cllr McNally. The Members agreed the amendment.

- (ii) *On the proposal of Cllr P. Treanor, seconded by Cllr S. Treanor it was agreed that the minutes of the Special Council meeting held on 26th July, 2012, as amended be confirmed.*

2. Correspondence:

The following correspondence was circulated with the agenda –

- Letter from Concra Woods Golf Club thanking the Council for its sponsorship and support for the inaugural PGA EuroPro tournament held in July 2012.
- Letter from the Minister for Jobs, Enterprise and Innovation regarding the dispute at the Lagan Brick factory in Kingscourt.
- Letter from the Minister for the Environment, Community and Local Government in relation to tendering for public contracts.
- Letter of acknowledgement from the Minister for the Environment, Community and Local Government in relation to the household charge.
- Letter of acknowledgement from the Minister for Communications, Energy & Natural Resources regarding the North South Interconnector.
- Letter from the Minister for Communications, Energy & Natural Resources regarding the services provided by rural post offices in Ireland.
- Letter of acknowledgement from the Minister for Communications, Energy & Natural Resources regarding a universal service obligation for mobile phone operators.

- Letter from the Minister for Health declining the Council's request that he would meet a deputation from the Council in relation to kitchen facilities at Monaghan Hospital.
- Letter from the Minister for Health advising the Council that there are no plans to extend the list of conditions covered by the Long Term Illness Scheme.
- Letter from Brendan Smith TD enclosing acknowledgement from the Minister for Health in relation to hospital services in Monaghan.
- Email from Deputy Heather Humphreys regarding request for a meeting with the Minister for Health.
- Letter and email from Deputy Heather Humphreys regarding the N2 Clontibret to the Northern Ireland Border Road Scheme.
- Letter from the Department of Social Protection in relation to the delays in processing applications for carer's and disability allowances.
- Letter from An Post regarding the remuneration of Postmasters in contract post offices.
- Letter from the Special EU Programmes Body in relation to the consultation process for the Interreg V programme.
- Letter from the Advisory Group on Tax and Social Welfare in relation to payment of benefits to unemployed self-employed people.
- Letter from the Joint Committee on Transport and Communications in relation to the Independent Commission's findings on the undergrounding of the North South Interconnector.
- Letter from Monaghan Town Council enclosing two resolutions passed at its monthly meeting.
- Resolution from Longford County Council in relation to the proposed introduction of a property tax.
- Resolution from Leitrim County Council seeking a travel pass for children under 16 years with a disability.
- Resolution from Leitrim County Council calling for the introduction of legislation to curb prostitution and trafficking for sexual exploitation.
- Resolution from Clare County Council in relation to a reduction/waiver of water rates for the non-commercial sporting and voluntary sector.
- Resolution from Donegal County Council opposing the legalisation of abortion in any circumstances.

Proposals arising out of correspondence:

On the proposal of Cllr Coyle, seconded by Cllr Connolly it was agreed that Monaghan County Council re-issue a request to the Minister for Health to meet a delegation from the Council to discuss the ongoing reduction of health/hospital services to County Monaghan and that this request again be circulated to all Oireachtas representatives for Cavan/Monaghan.

On the proposal of Cllr Coyle, seconded by Cllr Connolly it was agreed that Monaghan County Council support the resolution from Leitrim County Council calling on the Minister for Children, the Minister of State with responsibility for people with a disability and the Minister for Social Protection requesting them to look into ways children under 16 years with disabilities can be given a travel pass to assist them to travel to hospital appointments in Dublin.

On the proposal of Cllr S. Treanor, seconded by Cllr Maxwell it was agreed that the Council support the resolution from Monaghan Town Council calling on the Minister for Social Protection to reverse her decision to stop unemployment payments to part-time firemen who are on 24 hour call who are deemed to be unavailable for work.

On the proposal of Cllr McPhillips, seconded by Cllr S. Treanor it was agreed that Monaghan County Council is opposed to the introduction of abortion in this country in the absence of a Referendum of the people approving such legislation.

It was agreed that this motion be circulated to all local authorities in the state.

On the proposal of Cllr Carthy, seconded by Cllr Keelan it was agreed that this Council invites representatives of the former workers at Lagan Brick Kingscourt to attend and address the adjourned September Council meeting or the October meeting.

On the proposal of Cllr Carthy, seconded by Cllr Keelan it was agreed that Monaghan County Council writes to the Lagan Group company urging it to accept the findings of the Labour Court regarding its former employees at their Kingscourt plant.

On the proposal of Cllr Carthy, seconded by Cllr B. McKenna it was agreed that this Council writes again to Minister Pat Rabbitte urging him to introduce a Universal Service Obligation on mobile phone operators to ensure that all areas of this state have adequate mobile phone coverage. We do not believe that this issue should be passed on to an agency (COMREG) but rather it requires political leadership from the Minister with responsibility.

On the proposal of Cllr Carthy, seconded by Cllr B. McKenna it was agreed that this Council calls on the Minister for Social Protection Joan Burton TD to put in place the necessary resources in order to reduce the scandalous waiting times that many social welfare applicants, especially those applying for Carer's Allowance and Domiciliary Care Allowance payments, are forced to endure before receiving a decision. That we further call on the Minister to instigate a review of the decision making process relating to these payments as refusal rates are significantly higher than should reasonably be expected. This is reflected in the high percentage of successful appeals against these decisions.

On the proposal of Cllr Connolly, seconded by Cllr S. Treanor it was agreed that the Council write to the Health Service Executive asking them to outline what efforts they are making to ensure that all fresh food consumed in our hospitals, including chicken, is produced in Ireland and subject to the same rigorous inspection as Irish produced foods.

On the proposal of Cllr P. Treanor, seconded by Cllr Crowe it was agreed that, following consultation with the community and business sector, Monaghan County Council make a detailed submission to the SEUPB Steering Group overseeing the development of the new Interreg and Peace Operational Programmes.

On the proposal of Cllr O'Brien, seconded by Cllr Coyle it was agreed that Monaghan County Council congratulate all involved with Concra Wood Golf Club on running the very professional and successful PGA Euro Pro tournament from the 9th – 13th July.

Cllr Conlon proposed, Cllr Maxwell seconded that the Council support the resolution from Monaghan Town Council calling for the introduction of bye-laws or other measures which would ensure that circuses which use wild animals are prohibited from performing in any part of this local authority area in light of the well documented evidence of suffering endured by the animals involved and the serious animal welfare issues raised.

A vote by show of hands resulted in 11 for, 7 against, 1 abstention. The Mayor declared the motion carried.

Cllr Conlon requested that the matter be referred to the Corporate Policy Group to pursue the introduction of the proposed bye laws.

On the proposal of Cllr Gallagher, seconded by Cllr Coyle it was agreed that this Council request the Minister for Social Protection to expedite the work of the Advisory Group on Tax and Social Welfare in relation to previously self-employed persons who are now unemployed and ensure that social welfare payments and benefits are payable to this group.

On the proposal of Cllr Gallagher, seconded by Cllr Coyle it was agreed that this Council calls on the Minister for Health James Reilly TD to check with his department before sending out correspondence that is not relevant or has not been checked properly.

On the proposal of Cllr Gallagher, seconded by Cllr Coyle it was agreed that this Council calls on the Minister for the Environment to implement a scheme whereby people that pay their refuse charges are credited in some way for the payment.

On the proposal of Cllr Crowe, seconded by Cllr P. Treanor it was agreed that Monaghan County Council write to the BMW Regional Assembly and the Border Regional Authority requesting them to select their nominations to the Interreg V Steering Group from among the membership of the Cross Border Groups ie EBR, ICBAN, etc. who have direct experience in implementing such programmes.

On the proposal of Cllr O'Hanlon, seconded by Cllr O'Brien it was agreed that Monaghan County Council support the resolution from Clare County Council calling on the Minister for the Environment to make a special allowance for the non-commercial sporting and voluntary sector in relation to water rates as these groups cannot raise revenue to sustain their activity.

3. Planning - To receive reports as follows:

Cllr Bannigan referred to a discussion that had taken place on local radio the previous week in relation to a report on unfinished housing developments that was included on the agenda for this meeting. He queried what the protocol was in relation to items that are included on the agenda for the monthly Council meeting being discussed on local radio in advance of the meeting.

Following a brief discussion on this matter it was agreed that items placed on the agenda for any meeting of the Council should not be discussed in the media in advance the matter being discussed by the full Council.

(i) Unfinished housing developments:

Mr. Ben Clerkin, Assistant Planner outlined, in detail, the Status Report on Unfinished Housing Development which had been circulated with the agenda. Following his presentation, Mr. Clerkin responded to queries from the Members.

The Mayor and Members complimented Mr. Clerkin on an excellent presentation.

On the proposal of Cllr Conlon, seconded by Cllr B. McKenna it was agreed that the Council write to the Minister for Housing and Planning Ms. Jan O'Sullivan, T.D., requesting her to pursue job creation opportunities for the beleaguered construction industry that will result in partially finished dwellings in unfinished housing developments (UHD's) being completed and taken in charge by local authorities for the purpose of social housing.

On the proposal of Cllr Conlon, seconded by Cllr B. McKenna it was agreed that the Council write to the Minister for Housing and Planning Ms. Jan O'Sullivan, T.D., seeking the enhancement of existing guidelines for Planning Authorities dealing with UHD's that will create specific time bound solutions and outcomes, including penalties for non-compliance, to be imposed on the relevant stakeholders involved in negotiations with the Planning Authorities.

On the proposal of Cllr Gallagher, seconded by Cllr Coyle it was agreed that this Council calls on the Minister for Finance Michael Noonan, T.D., to instruct the banks under his control to engage in an urgent and meaningful way with the Council to resolve all outstanding issues in 'unfinished housing estates' for the benefit of the people who live in these estates.

On the proposal of Cllr B. McKenna, seconded by Cllr McElvaney it was agreed that this Council engage with NAMA with a view to securing the most advantageous Unfinished Housing Developments from their portfolio and then the Council make application to the Department of the Environment to secure funding to purchase these developments and provide housing for those on our Social Housing Waiting List.

On the proposal of Cllr O'Hanlon, seconded by Cllr O'Brien it was agreed that the Housing Section circulate a report to the Council at the next meeting outlining its progress in relation to the Social Housing Rent Scheme.

(ii) Developments to be taken in charge

The Members noted the report from the Senior Staff Officer Planning which had been circulated with the agenda. The report outlined the current status of the twelve applications lodged with the Council for developments to be taken in charge. There are a further eleven applications lodged with the four Town Councils. Mr. P. Clifford, Director responded to queries from the Members in relation to the report.

4. To fix dates for the following meetings:

(i) Speed Limit Committee Meeting

It was agreed that a meeting of the Speed Limit Committee would be held on Monday 1st October, 2012 at 3pm

(ii) Environment/Roads SPC meeting:

It was agreed that a meeting of the Environment/Roads SPC would be held on Thursday 13th September, 2012 at 10.00 a.m. in Mtek 2.

5. To approve nomination to the Social, Cultural, Community & Voluntary SPC

On the proposal of Cllr Conlon, seconded by Cllr B. McKenna it was agreed to approve the nomination of Carmel Brennan (Environment Pillar) to the Social, Cultural, Community and Voluntary SPC.

6. To receive reports from Members attending Conferences:

The Members noted the reports from Cllrs Carville, Connolly, Coyle, Crowe, Gallagher, McElvaney, McNally, Murray, O'Brien, O'Hanlon and P. Treanor in relation to their attendance at the following conferences –

- Byrne Perry Summer School, Gorey, Co. Wexford.
- William Carleton Summer School, Clogher, Co. Tyrone
- Living Landscape Seminar, Clifden, Co. Galway
- Local Authority Housing Seminar, Galway.
- Magill Summer School, Glenties, Co. Donegal
- A Guide to getting the right work done, Castletroy, Limerick
- ACCC Spring Conference Kilkenny
- Empowering Youth to Build Peace, Ballyoisin, Co. Monaghan
- The Councillor and the Environment, Ballyvaughan, Co. Clare.
- LAMA Spring Seminar, Waterford.
- Political & Civic Collaboration Programme, An Creagán, Omagh

7. Proposed Eirgrid 440kv Interconnector

This item was deferred to the adjourned meeting.

8. Business submitted by County Manager

Ulster Canal:

Mr. P. Clifford, Director stated that the NI Planning Service had been in contact with the Council in relation to the planning application for the Ulster Canal. They have

indicated that the NI Environment Agency (NIEA) have concerns re natural heritage. Additional information has been requested and the DoE NI (Planning Service) is in direct dialogue with Waterways Ireland in relation to the application.

Gate House, Castleblayney:

The Acting County Manager advised the members that he had been advised by County Monaghan VEC that the 'Community Men Shed' project will not be proceeding at this location.

The Gathering 2013:

The Acting County Manager updated the members in relation to this matter. The Council's Tourism sub-committee had met and discussed initial plans for the event. Mr. A. King, Director stated that the Council would examine possible funding sources such as Leader and the Community Development Fund.

On the proposal of Cllr Connolly, seconded by Cllr Conlon it was agreed that the Council write to the Department of Tourism and Sport requesting that Failte Ireland provide funding to County Councils to assist them in hosting events to help attract people from abroad during 2013 – the year of "The Gathering".

Clones Erne East Sports Project:

The Acting County Manager confirmed that the Letter of Intent had issued to the preferred contractor for the Clones Erne East Sports Project on the 27th July, 2012. The contractor is currently on site and a photo-call has been arranged for Tuesday 11th September at 11.00 am to which all members are invited to attend.

Winter Maintenance Plan:

Cllr McNally requested that the Members would receive a report on the Flooding Emergency Plan and the Winter Maintenance Plan at the next meeting.

9. Matters arising out of minutes of meetings held on 2nd and 26th July, 2012.

Matters arising out of the minutes of meetings held on 2nd and 26th July, were responded to by the relevant officials.

10. To receive presentation from Health Service Executive in relation to Monaghan General Hospital.

The Mayor welcomed Ms. Josephine Collins, Operations Manager, Cavan & Monaghan Primary & Community Care and Ms. Bridget Clarke, General Manager Cavan Monaghan Hospital Group.

Ms. Clarke outlined to the members the rationale behind the decision to re-locate the catering facilities from Monaghan General Hospital and St. Mary's Hospital Castleblayney to the St. Davnet's Hospital site. She responded to queries from the members in relation to this and other matters.

Ms. Collins up-dated the members in relation to the current situation regarding primary care centres in Co. Monaghan. Following her update she responded to queries from the members.

The Mayor thanked Ms. Clarke and Ms. Collins for attending the meeting and for information presented to the Council. Ms. Clarke and Ms. Collins thanked the Council for their interest in the health service in the county and withdrew from the meeting.

On the proposal of Cllr Coyle, seconded by Cllr Gallagher it was agreed that Monaghan County Council calls on the Health Service Executive to reverse its plans to locate all catering/kitchen facilities at St. Davnet's Hospital Complex and to retain all current catering facilities at St. Mary's Hospital, Castleblayney and Monaghan General Hospital in the interest of patient comfort and care.

On the proposal of Cllr Conlon, seconded by Cllr Carthy it was agreed that considering the current €700,000 refurbishment of kitchen facilities at St. Davnet's Hospital, that Monaghan County Council write to Minister James Reilly and the Department of Health enquiring if the previously stated intent of selling the extensive lands owned by the HSE at Rooskey, Monaghan Town has now been withdrawn.

11. Questions:

Cllr B. McKenna asked:

1. In relation to the proposed sewerage extension at Ballinode of the network out as far as Cappog bridge/Connolly's bridge, what is the likelihood in the immediate or intermediate period of a further extension which would take in the considerable housing development along the Rafeenan Road towards the Rugby Club?

Reply: *The economic viability of crossing the Cappog Bridge with a scheme which will connect approximately 11 houses is unviable considering the physical/heritage constraints attached to the bridge regarding flooding and conservation issues.*

2. In relation to the further re-alignment of the N2 from Coolkill East to Corracrin, what is the reason for the delay in the commencement of these works given that tenders were issued for these works in April this year? When is it anticipated that these works will commence and has a preferred contractor been appointed yet?

Reply: *Monaghan County Council submitted the tender recommendation and request for approval to proceed with the award of the contract to the National Roads Authority in June. The NRA requested that a cost benefit analysis be prepared for the scheme. This report has been prepared and submitted to the NRA for approval. Subject to NRA approval, it is expected that the contract will commence before the end of September.*

Cllr J. O' Brien asked:

3. Can Monaghan County Council look at the possibility of putting a zebra crossing at bus stops on York St., Castleblayney? The crossing of the road is dangerous for people who are using the bus service.

Reply: Monaghan County Council will examine the feasibility of putting a pedestrian crossing at this location.

Cllr J. O' Brien asked:

4. (a) When does Monaghan County Council envisage the sewerage scheme out the Castleblayney Rd of Ballybay to be complete?

Reply: It is expected that the Scheme will be completed by the end of 2012.

- (b) What cost will there be for people to join the scheme?

Reply: The cost of connection is €3,050.

- (c) Where does the scheme end on the Cremartin Rd?

Reply: The scheme is designed to cater for the Castleblayney Road.

5. What is the up to date position regarding Hope Castle and Lough Muckno?

Reply:

- **Castleblayney Circuit Court ruled on 2nd March 2010 that the tenant of Hope Castle was entitled to a renewal of his lease.**
- **Terms could not be agreed between the Council and the tenant and the Council referred the matter to the Circuit Court.**
- **The tenant lodged a claim on 22nd December 2011 for Malicious Injuries with Monaghan County Council which was heard at Castleblayney Circuit Court on Wednesday 28th June 2012. This was in respect of the fire which occurred on 4th November 2010. The Court held that the state is liable but did not deal with the matter of quantum.**
- **Monaghan County Council appealed this decision to the High Court and the case is due to be heard in October 2012. The appeal is on the grounds that the claim was lodged outside of the prescribed period (fourteen days) and the issue as to whether the act took place as "riotous assembly".**
- **The Circuit Court Judge stated that he would not decide the case in relation to the terms of the lease until there is an outcome of the Malicious Injuries Claim.**

Cllr P. Treanor asked:

6. Will Monaghan County Council carry out an audit of all Council property to establish if any are suitable for hosting wireless or mobile telecommunication infrastructure? This could alleviate the proliferation of masts throughout the county, and be a revenue stream for the Council.

Reply: Monaghan County Council currently rents space on its mast at Kilcatt to facilitate mobile telecommunication infrastructure. If requested the Council would examine any request from telecommunication companies to host antennae or equipment.

7. What quantity of Fluoride is used for Fluoridation of water at MCC public water plants? How much does this cost?

Reply: The range for Hydroflosilicic Acid Of 10.9% Per Cent Strength is 0.6mg/L – 0.8mg/l as set by the HSE. Only upper limit of 0.8mg/l is standard under EPA DW standards.

The cost of the ‘Hydroflosilicic Acid’ is reimbursed from the HSE through a central payments system. MCC invoice the HSE regional section directly for costs associated with operating the dosing mechanism.

Cllr P. Treanor asked:

8. When will Monaghan County Council erect public lighting at Hilltop, Rockcorry?

Reply: The Council is seeking revised quotations for a number of public lighting projects in the Clones Area at present. The proposed new lights at Hilltop, Rockcorry is one of those and the time frame for their installation will be determined once they are received and subject to adequate funding being available.

9. When will Monaghan County Council erect a speed ramp in Cavanreagh Housing Estate, Scotshouse, to alleviate the danger of speeding cars?

Reply: The Council has no plans at present to install speed ramps in Cavanreagh Estate, Scotshouse. The local area office will investigate the issue of speeding traffic to determine what the most appropriate measures are and determine the cost of same.

Cllr C. McPhillips asked:

10. Along the R183, between Swanns Cross and Newbliss, there is a junction located at Drumkeen Church. When travelling from Swanns Cross, this junction is hidden by a series of very sharp bends. There are a number of arrow signs warning of the corners but there is only one sign indicating that a junction is ahead. Will Monaghan County Council make an application under the Low Cost Road Safety Scheme in order to place rumble strips on the road prior to the junction and in the interim erect additional signage, in order to make safe this very dangerous and blind junction?

Reply: Monaghan County Council will examine this location with a view to making an application under the Low Cost Road Safety Improvement Scheme having regard to the limit on the number of applications that can be made from County Monaghan in accordance with NRA Circular RLR5/2012.

11. Has Monaghan County Council made any progress in its talks with Coillte regarding the trees from Rossmore Park which overhang the Threemilehouse to Monaghan Town road and which cause the road to be greasy on a stretch of road that already has severe bends, making it dangerous for drivers travelling to Threemilehouse and Newbliss?

Reply: Monaghan County Council will again raise this matter with Coillte.

Cllrs S. Conlon, S. Treanor and R. Gallagher asked:

12. In an effort to strengthen an application submitted by local traditional Irish music enthusiasts to Fáilte Ireland for the Feile Oriel event in Monaghan next May, will Monaghan County Council provide administrative support for the application and event, that in turn will enhance the prospect of a successful outcome of the application and result in the Feile Oriel being included as one of forty iconic internationally acclaimed cultural events being promoted for 'The Gathering 2013'

Reply: *The Council understands that Feile Oriel has already submitted their application to Failte Ireland under the National Festivals and Participative Events Programme the closing date for which was 22 June 2012.*

This funding is for major festivals with minimum eligibility requirements including the following:

- *Festivals must generate a minimum of 3,000 overnight stays.*
- *Events must raise a minimum of €50,000 in private sector funding (ticket sales, sponsorship, merchandise etc).*

A Regional Festivals and Participative Events Programme is currently open with a submission deadline of 7th September 2012. Through the Council's tourism division, Feile Oriel has been encouraged to submit an application under this measure as the minimum eligibility requirements are less stringent as follows:

- *Festivals must generate a minimum of 600 overnight stays*
- *The festival/event must have a minimum expenditure of €10,000.*

Cllr P. Connolly asked:

13. In relation to the €100 Household Charge:

- (a) How many households have applied for a waiver from this charge?
(b) How many households are entitled to exemption from the household charge?
(c) Were all of these exemptions and waivers factored in at the time of the Department's decision to reduce the County Council budget by €1.3m?

- a) *As of August 22nd 244 households received a waiver details as follows*
- | | |
|------------|---|
| <i>63</i> | <i>Mortgage Income Supplement (MIS)</i> |
| <i>178</i> | <i>Unfinished Housing Estate (UHE)</i> |
| <i>3</i> | <i>Both MIS and UHE</i> |

b) Details of the number of households entitled to an exemption from the Household Charge are not available as not all exemptions are required to be registered eg. person in a nursing home for more than 12 months.

c) This question was forwarded to the DECLG and the following is the response received

"The estimated figure for liable households of 1.6 million that we have been using is net of waivers. The collection rates per county are set against the total number of liable properties only.

It is important to note that Local Government Fund monies are being withheld from the 3rd quarter payment due to the current level of compliance with the household charge. The circular clearly states that local authorities can progressively recoup their original general purpose grant allocation.

The final amount of General-Purpose Grants available for 2012 will be revisited and reviewed in Quarter 4 to take account of the then financial position, including progress on securing an increased household charge yield. This exercise will allow for withheld LGF monies to be progressively recouped to local authorities where household charge collection rates have improved in the intervening period."

Cllr P. Connolly asked:

14. To ask Monaghan County Council for an update in relation to the Household Charge and for the latest % compliance figures?

Reply: *As of Friday 31st August 12,377 households have paid the Household Charge. This represents a collection rate of 61.34%.*

15. How many households have availed of the € septic tank registration charge and whether this represents the total number of septic tanks in the county?

Reply: *From close of business on 27th August 881 applications were received representing 7.4% of the entire county.*

16. In relation to the sale, by the IDA, of 18 acres of industrial zoned land on the Armagh Road, Monaghan, did Monaghan County Council have any talks with I.D.A. Re: attaching conditions to use of previously publicly owned land in terms of leaving enough industrial zoned land for the future?

Reply: *These lands (39 acres) were sold freehold by Monaghan County Council to the I.D.A. in 1980. The IDA developed the site, constructed three advance units and sold a number of sites. The County Monaghan Enterprise Fund Ltd. purchased a portion of this land from the I.D.A. and developed the MTEK 1 and MTEK 2 buildings. The sale of the balance of the lands was advertised in the national press in July 2012.*

Cllr S. Conlon asked:

17. In the interest of this Council improving road safety conditions during heavy rain fall and reduce instances of flooding, can roadside drain/gulley clearance be undertaken as matter of priority where obvious blockage is occurring as evidenced by grass growing out of blocked drains?

Reply: *Cleaning of road gullies is an ongoing part of road maintenance and any areas subject to flooding are treated as a priority.*

18. In efforts to pursue payment of the Household Charge from the approximately 8000 households throughout County Monaghan who have refused to pay, have the Council Executive estimated the cost burden that engaging a firm of solicitors will be on this local authority in pursuing same? Will this cost be borne entirely from Council's own

resources which includes revenue already received from those who have paid the charge?

Reply: *Letters will be issued to those identified as not paying the charge by the end of September and people are being given every opportunity to pay. We are hopeful that everyone will pay their charge and that legal action will not be necessary. Therefore we have no estimates at this stage for legal costs. If legal costs are incurred the Council will endeavour to recover this cost from the DECLG.*

Cllr S. Conlon asked:

19. Regarding the Landfill Levy of €65 per tonne charged to waste contractors when dumping refuse at the Scotch Corner Material Recovery Facility, what total revenue from this source has accumulated to date for this year? Is this revenue retained by Monaghan County Council?

Reply: *For the 1st six months of 2012 the landfill levy was €50 per tonne, this increased to €65 per tonne on the 1st July 2012. Amount collected to end of July 2012 by Monaghan County Council at the Scotch Corner Landfill Facility was €347,328.50. This is all forwarded to the Department of Environment, Community and Local Government.*

Cllr R. Gallagher asked:

20. In the interests of children and their future health when will the Council have the no-smoking signs erected in all playgrounds throughout the county?

Reply: *Quotations are being sought for the no smoking signs at present. Area Offices plan to have them erected in all playgrounds later this year.*

21. Could the Council investigate what action could be taken to remove the “hardness” from the public water supply in the Scotstown area?

Reply: *There is no set limit on hardness under the Drinking Water Regulations which transposed the EU Drinking Water Directive [80/778/EEC] into Irish law. Rather, there is a minimum set if an attempt is made to soften water, as hardness it is deemed good for human health.*

The following is an extract from the World Health Organisation reference manual -

‘Guidelines for drinking-water quality, third edition, incorporating first and second addenda

Hardness

Hardness caused by calcium and magnesium is usually indicated by precipitation of soap scum and the need for excess use of soap to achieve cleaning. Public acceptability of the degree of hardness of water may vary considerably from one community to another, depending on local conditions. In particular, consumers are likely to notice changes in hardness. The taste threshold for the calcium ion is in the range of 100–300 mg/litre, depending on the associated anion, and the taste threshold for magnesium is probably lower than that for calcium. In some instances, consumers tolerate water hardness in excess of 500 mg/litre.

Depending on the interaction of other factors, such as pH and alkalinity, water with hardness above approximately 200 mg/litre may cause scale deposition in the treatment works, distribution system and pipe work and tanks within buildings. It will also result in excessive soap consumption and subsequent "scum" formation. On heating, hard waters form deposits of calcium carbonate scale. Soft water, with a hardness of less than 100 mg/litre, may, on the other hand, have a low buffering capacity and so be more corrosive for water pipes'.

Monaghan County Council has made an application to the Department of the Environment, Community and Local Government, under the Small Schemes Programme for improvements to some supplies.

Upon receipt of our annual allocation, Water Services target investment at projects that significantly reduce the risk of non-compliance with the Drinking Water Regulations.

There are no drinking Water compliance issues with the public supply to Scotstown

Cllr R. Gallagher asked:

22. What is the procedure/time scale for members of the public who wish to register their septic tank and to avail of the €5 registration fee?

Reply:

Registration

Owners of domestic wastewater treatment systems are required to register their systems in accordance with the Domestic Waste Water Treatment Systems (Registration) Regulations 2012. Registration forms are available from:

- . Local authority offices*
- . Public libraries*
- . Citizen information centres*
- . Protect Our Water (Lo-Call 1890 800 800)*
- . Protect Our Water's website*

Where application is made in writing, households can pay by cheque, bank draft, postal order, or credit or debit card. Registration forms and fees can be sent to:

*Protect Our Water
P.O Box 12204
Dublin 7*

Where application is made in writing and payment of the registration fee is made in person at a local authority office, households can pay by cheque, bank draft, postal order, credit or debit card, or by cash payment. Households can also register and pay online by credit or debit card by creating an account at the following link: <https://www.protectourwater.ie/Register.aspx>

A modest registration fee, which is set at €5, applies for the first three months of the registration period, until 28 September 2012. A €50 will apply thereafter and registration must be completed on or before 1 February 2013. The fee is payable to cover the costs of administration by the water services authorities and of the risk-based inspections to be carried out.

Cllr S. Coyle asked:

23. Can Monaghan County Council outline in detail the payment methods for the Non Principal Private Residence charge (N.P.P.R), the Council's role to facilitate the payment of the charge, the charge figure, as great confusion exists for those subject to the charge?

Reply: *Non Principal Private Residence charge can be paid as follows*

- *online at www.nppr.ie (you will need to register an email address in order to receive a pin to log in.*
- *Alternatively you can send you application form to NPPR Po Box 11654 Dublin 8 with cheque made payable to NPPR.*
- *Monaghan County Council can take the application over the counter along with a fee of €10.00 (section 19 of the Household charge Bill provided for amendments to the Local Government (charges) Act 2009)*
- *Monaghan County Council staff will assist a member of the public with the application and they in turn can post the application to Dublin themselves.*
- *Monaghan County Council staff will deal with any queries in relation to the NPPR Charge and have done so since its introduction in 2009.*

Cllr S. Coyle asked:

24. Will Monaghan County Council outline in detail what plans / design works or applications for funding the Council has made to address the very serious flooding problems, regularly occurring on the Ballybay to Cootehill Road (R190) at Cumry and Lisnalong, as it is causing enormous difficulties for local residents, farmers and businesses with the road totally inaccessible for lengthy periods?

Reply: *The Council previously made applications to the OPW for funding to conduct a study of the area including the Dromore River that carries the flood water. The Council has also highlighted this flooding problem during consultation on the Catchment Flood Risk Analysis (CFRAM) Programme being carried out by the OPW. The Council understands that The OPW will include the section of the Dromore River in Ballybay as an area for further assessment.*

The Clones Road Area Committee Meeting has requested that Monaghan County Council Roads Section examine the location and prepare a report on what re-alignment works would address the flooding on the R190. This work has commenced and it is intended to bring a report to the next Road Area Meeting for discussion.

25. Can Monaghan County Council outline the regulations and policies on roadside hedge cutting / trimming –
- (a) The dates during which hedge cutting / trimming is permitted?

Reply: *Hedge cutting is permitted from September 1st until February 28th.*

- (b) The enforcement powers of the Council on a Landowner, where a hedge is causing a road safety / visibility hazard?

Reply: *Section 70 of the Roads Act 1993 sets out the powers of enforcement where vegetation or any structure is causing a hazard. The road authority can issue a notice to the owner or occupier directing them to take action. If the landowner or occupier fails to take action the road authority may, take action in the interest of public safety and recover the costs of taking such action from the owner or occupier. Any owner or occupier who fails to comply with a notice issued under Section 70 shall be guilty of an offence.*

Cllr N. Keelan asked:

26. What is the up-to-date position in relation to the proposed major improvement works planned for the Dundalk to Cavan town road, via Carrickmacross, Shercock and Cootehill. Following on from the Public Information Evening in Carrickmacross on 17th April last, will landowners and residents be given an opportunity to meet on site with an official of this Council to discuss issues such as land takes and the impact on residents if requested to do so?

Reply: *The consultants Roughan O' Donovan- Aecom Alliance are continuing the development of the preliminary design. They have indicated that they intend to have this work completed early next year.*

If individual landowners have concerns and wish to meet a Council Official they should contact the Area Office in the Carrickmacross Civic Centre to arrange an appointment to meet with an official. The progression of the scheme to the construction stage will require planning consent and the acquisition of land, both processes normally involving further public consultation. The further development of the scheme will be subject to the availability of funding.

27. In relation to the Rental Accommodation Scheme, whereby Monaghan County Council leases properties from private landlords to rent to people on the Council's Housing Waiting List and who are in receipt of the Rent Supplement, approximately how many properties have Monaghan County Council leased under this scheme to-date; approximately how much money is this costing the taxpayer per annum?

Reply: *In respect of the Rental Accommodation Scheme the numbers of properties currently within the scheme (up to 31st December 2011) was 346 units. In 2011 the rents paid to landlords was €1,238,548.75.*

28. In relation to the Carrickmacross Water Supply Augmentation Scheme, what is the up-to-date position on this proposed project; is there provision within the contract to provide for local employment and local services during construction? Given that the people of Carrickmacross and surrounding areas have endured major disruption during the construction of the new Sewerage Collection Network, will this project cause much disruption or inconvenience to the people of Carrickmacross?

Reply: *Evaluation of the tenders is currently underway. This process should be completed by End of September and contract award in Q4 2012. The contract comprises of Civil Engineering Works (incl pipe work and concrete work) and Mechanical & Electrical Works. Like all contracts the successful Main Contractor may seek to engage Sub-contractors to carry out different/specialised elements of*

the scheme. As this is a DBO contract there is no Nominated element to the contract.

The majority of the works are on the reservoir site. Pipe work to link to the proposed production wells is the remaining element of the scheme. All pipe work in the core of the town is completed under previous contracts so disruption to the town will be minimal. There may be some disruption to the outskirts of the town for short periods but these will be minimised through supervision.

Cllr N. Keelan asked:

29. In welcoming the completion of the Sewerage Collection network in and around Carrickmacross town and also the reinstatement of almost all of our roads to a high standard, how many households have availed of the 50% reduction in cost to connect to the new collection network? In relation to the list of small works (snagging list) that have yet to be completed in and around the town, including the Lisanisk area, when is it hoped to have these works completed?

Reply: 161. *Any remaining snags will be rectified under the maintenance period. However any unresolved issues will be dealt with under the mechanisms of the contract.*

Cllr P. McNally asked:

30. What is the latest position regarding Carrickmacross Water Upgrade Scheme?

Reply: *Evaluation of the tenders is currently underway. This process should be completed by End of September and contract award in Q4.*

31. In the event of proving emergency, will this Council accept a Disabled Person's Grant application?

Reply: *YES – as in 2011, Monaghan County Council will accept Emergency – Priority 1 applications subject to clarification by the HSE Occupational Therapy services.*

32. When does this Council expect to hear back from the consultants regarding the Cavan-Dundalk Road upgrade?

Reply: *The Consultants for the scheme indicated that they intend to have the preliminary design completed early next year. This will complete the consultants brief and the further development of the scheme through the next stages (planning, detailed design and construction) will likely be a matter for each local authority (Cavan, Monaghan, Louth) to progress separately. The further development of the scheme will be subject to the availability of funding.*

Cllr M. Carthy asked:

33. Will the Council give a comprehensive updated report on the proposed Group Home for women with physical and sensory disabilities at Carrickmacross including timescale for commencement and completion of the building of the project?

Reply: *This project was officially approved funding of €1,158,360 by the Department on the 23rd July 2012. RESPOND Housing Association is currently preparing the Planning Application which is expected to be submitted by mid September. Following the necessary planning timescales and procurement, it is expected to commence on site in early 2013 with an anticipated construction period of approximately 10 months. Given no unforeseen delays at planning, procurement or construction stages, the facility should be completed by October 2013.*

Cllr M. Carthy asked:

34. How many applications were made by Monaghan Local Authorities for the Neighbourwood Scheme (forestry support scheme to assist communities to create their own 'close-to-home' woodland amenities) which is organised by Department of Agriculture, Food & Marine? (Please list applications)

Reply: *On the 13th July, 2012, Shane McEntee, TD Minister of State at the Department of Agriculture and Food and the Marine announced the re-opening of Neighbourwood Scheme a forestry support scheme to assist communities to create their own 'close-to-home' woodland amenities. The scheme had a limited timeframe for receipt of applications and the closing date was Monday, 20th August, 2012. No applications were submitted by Monaghan Local Authorities.*

35. Has Monaghan County Council carried out an assessment of the level of lime contained in the Carrickmacross public water supply; if so, what were the findings? Does the Council have any health concerns arising from the apparent high levels of lime contained in some Monaghan water supplies including Carrickmacross?

Reply: *As part of the tender preparation for CMX DBO contract MCC assessed all of the 8 number proposed production wells under a sub-contract and results from this assessment show there is no excessive hardness issue in CMX supply.*

Lime (calcium chloride) is a naturally occurring dissolved solid in drinking water and is beneficial for bone formation both in humans and animals. Even where excessive hardness is caused by calcium or magnesium there are no adverse health effects. Monaghan County Council does not have health concerns in relation to the level of lime in the public water supplies. There would be concerns if individuals were to drink demineralised water due to its poor taste and lack of essential minerals. Such water would also be aggressive to pipe-work and storage tanks.

13. Votes of Congratulations:

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

- Aaron McKenna, Old School A.B.C. Smithboro, who has qualified to represent Ireland at the European Boxing Tournament in Russia.
- Clement McMahon, Clones, leading member of the Irish Show-Jumping Team that won the Aga Khan Trophy in August 2012.
- Killeevan Gymnasts who excelled at the Community Games National Finals – Daisy Monaghan, Gold; Maeve Monaghan – Silver; Ferne Monaghan - Silver; Courtney McGorman – Bronze; Hollie Forde – Bronze.

- Cameron Dowd and Oliver Clerkin, Clones Town F.C. who were part of the Cavan/Monaghan Emerging Talent Squad who won the Umbro Cup in Galway on Saturday 11th August.
- Magheraclone U-12 football team on winning the County U-12 Division 1 League for the first time.
- Aughnamullen U-12 football team on winning the County U-12 Division 2 title recently.

14. Conferences:

The Meetings Administrator advised the members that the Conferences Budget for 2012 was nearly expended. Members sought the nomination of delegates to the LAMA conference at the end of September. The Meetings Administrator advised that attendance at the LAMA conference would only be possible if those members approved at the July Council meeting to attend the AMAI conference agreed to attend the LAMA conference instead, as there was not sufficient finance remaining to allow attendance at both conferences. Cllr P. Connolly indicated that he still wished to attend the AMAI conference. The other four members agreed, with the approval of the Council, to transfer to the LAMA conference (details as follows):

Promoting Authority	Subject/Theme	Venue	Dates	Members
LAMA Autumn Seminar	The Challenge for Local Authorities Can we do more with less?	Mount Errigal Hotel Letterkenny, Co Donegal.	28 th - 29 th September 2012	Cllr PJ O'Hanlon Cllr P. McNally Cllr N. Keelan Cllr H. McElvaney

Urgent Business:

The Mayor advised the members that he had received two notices of Urgent Business in accordance with Standing Order 14.2.

- (i) Cllr Connolly proposed, Cllr S. Treanor seconded

That Monaghan County Council calls on Minister Richard Bruton and the IDA to withdraw from auction the 18 acres of industrial zoned land at Knockaconny, Armagh Road, Monaghan.

- (ii) Cllr B. McKenna proposed, Cllr Conlon seconded

That this Council notes once again the abysmal failure of successive governments and the IDA to make any meaningful effort to attract inward investment to County Monaghan.

That we note with concern the stated intention of the IDA to sell its lands at Knockaconny and believe that it is a clear indication by the government and the IDA that they have no intention of promoting or supporting foreign direct investment in our county. We call on the IDA to reverse their decision to sell this land and we call on the government to direct the IDA to include Monaghan in its list of counties which it promotes to potential investors.

In the event that it is clear that the IDA has no intention of changing its long standing policy of ignoring County Monaghan and intends to proceed with the sale, the members of Monaghan County Council hereby call on our Acting County Manager to meet with the IDA with a view to securing the ownership of the land in question by Monaghan County Council which can then be utilised by the Council for the economic development of our county.

It was unanimously agreed that the Council discuss the motions of urgent business. It was further agreed that Cllr S. Treanor's notice of motion on the agenda paper (item 12(8)) be also taken at this time.

Cllr S. Treanor proposed, Cllr Connolly seconded

That this Council calls on Minister Richard Bruton, T.D., at the Department of Jobs, Enterprise and Innovation, to rescind the decision of I.D.A. Ireland to sell off 18 ½ acres at Knockaconny, Monaghan.

A lengthy debate then followed to which a number of members contributed and expressed their disappointment at the IDA's decision to sell the land at Knockaconny which had been previously acquired from the Council. During the course of the debate the following proposals were put forward –

Cllr Connolly proposed, Cllr S. Treanor seconded, and it was agreed that the Council write to the Minister for Jobs, Enterprise Trade and Innovation requesting the immediate withdrawal of this land from auction.

Cllr Connolly proposed, Cllr S. Treanor seconded and it was agreed that the Council write to the Minister for Jobs, Enterprise, Trade and Innovation requesting an urgent meeting in relation to the sale of 18 acres of land at Knockaconny, Armagh Road, Monaghan.

Cllr McNally proposed, Cllr Maxwell seconded and it was agreed that the Mayor and one from each political grouping meet with the Oireachtas Members for the county with a view to getting the sale of these lands called off.

The meeting then concluded – the balance of the agenda to be dealt with at an adjourned Council meeting to be held at 10.00 a.m. on 17th September, 2012.

Signed: _____
Meara Meetings Administrator

Date: _____