

Minutes of Meeting of Monaghan County Council held in the Mtek Building, Knockaconny, Monaghan on Monday 7th September, 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, P. Treanor and S. Treanor.

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

The Mayor welcomed the Members, officials and the media back after the summer break.

On the proposal of Cllr Bannigan, seconded by the Mayor it was unanimously agreed to extend a vote of congratulations to Cllr McElvaney on his election as Chairperson of the Local Authority Members Association.

The County Manager associated himself with the vote of congratulations and on behalf of the officials.

Cllr McElvaney thanked all present for the vote and stated that he is honoured to have been elected to such a prestigious position.

The Mayor stated that she had received a number of notices of urgent business and that she proposed to deal with them at 12.00. This was agreed by the members.

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 Monday 6th July, 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 Monday 13th July be confirmed.*

2. Correspondence:

The following correspondence was circulated to Members:

- Letter from CEO Co. Monaghan VEC in relation to filling of casual vacancies on VEC.
- Letter from Town Clerk, Ballybay Town Council in relation to representation from Ballybay Town Council on Co. Monaghan VEC.
- Letter from the Office of An Taoiseach in relation to Monaghan General Hospital.
- Letter from the Health Service Executive in relation to Monaghan General Hospital.
- Letters of acknowledgement from Professor Drumm and Minister Harney and Dr. Rory O'Hanlon, in relation to Monaghan General Hospital.

- Letter from Monaghan Town Council in relation to the Psychiatric Nurses Association.
- Letter from Deputy Seymour Crawford in relation to roads damaged as a result of work on the Castleblayney bypass.
- Letter of acknowledgement from Minister Noel Dempsey in relation to Castleblayney bypass.
- Letter from Minister Noel Dempsey in relation to Emyvale bypass.
- Letter from Private Secretary to the Minister for the Environment, Heritage and Local Government in relation to extension of planning permissions.
- Letter from the Private Secretary to the Minister for Communications, Energy and Natural Resources in relation to the proposed 400Kv North-South interconnector.
- Letter of acknowledgement from Private Secretary to the Minister for the Environment, Heritage and Local Government in relation to the demolition of maisonettes in Bree, Castleblayney.
- Letter from the Department of Justice, Equality & Law Reform in relation to a major review of gambling with a view to putting in place a modern responsible gambling code.
- Letter from the National Roads Authority in relation to the management of the regional and local roads programme.
- Letter from the Clinical Director, Cavan/Monaghan Hospital Group in relation to the transfer of acute medical services from Monaghan General Hospital.
- Letter from the BMW Regional Assembly in relation to the appointment of Members to the Assembly.
- Letter from the Office of the Minister for Housing and Local Services in relation to the demolition of Council owned maisonettes in Bree, Castleblayney.
- Email from CDA Trust Ltd., advising of its services in relation to drugs/alcohol problems and seeking additional funding/accommodation from the Council.
- Resolution from Clare County Council in relation to assessment of medical card applications.
- Resolution from Limerick County Council in relation to the payment of the Christmas bonus for Old Age Pensioners.
- Letter from

Proposals arising out of correspondence:

Monaghan Hospital:

On the proposal of Cllr Carthy, seconded by Cllr B. McKenna it was agreed that the Council write to An Taoiseach expressing the Council's disgust at the withdrawal of acute medical services from Monaghan General Hospital and its disappointment at the Taoiseach's failure to meet with the Council.

It was further agreed that the Council renew its request for an urgent meeting with An Taoiseach to discuss Monaghan General Hospital.

On the proposal of Cllr Connolly, seconded by Cllr B. McKenna it was agreed to write to the HSE requesting that they provide a daily minibus transport service for patients from Monaghan General Hospital who have to attend Cavan Hospital for tests/procedures and have no transport available to them.

On the proposal of Cllr McElvaney, seconded by Cllr Keelan, it was agreed that having regard to the removal of acute medical services from hospitals in the North East (Dundalk, Navan and Monaghan) that we seek a meeting with representatives of Louth and Meath County Councils to discuss the matter and obtain their support.

Cllr McNally proposed that Cavan County Council should also be included as the removal of acute medical services from Monaghan hospital is already impacting on Cavan hospital. Cllr McElvaney seconded the proposal which was agreed by the Council.

Regional/Local roads:

On the proposal of Cllr Carthy, seconded by Cllr Crowe it was agreed that this Council seeks an urgent meeting with the Minister for Transport to discuss the National Roads Authority takeover of management of the regional and local roads investment programme.

On the proposal of Cllr Carville, seconded by Cllr Murray it was agreed that the Council write to the National Roads Authority and the Minister for Transport pointing out the impact of this decision on local authorities and on Monaghan County Council in particular.

It was further agreed that the Council would seek the support of LAMA in this matter.

Mental health services:

On the proposal of Cllr Gallagher, seconded by Cllr Connolly it was agreed that the Council would write to the Department of Health outlining its concerns in relation to the issues raised by the Psychiatric Nurses Association (PNA) in relation to cutbacks to mental health services in the Cavan/Monaghan area, as follows:

- *The HSE has imposed cuts on travel and staff replacement which is a source of great concern to the PNA members.*
- *Many PNA members have pointed out the impact these cuts present for patient care. Nurses have driven thousands of miles at their own cost in order to maintain services*
- *Nurses have noted an absolute failure of HSE Managers to notify service users and the general public of the nature and implications of the cuts.*

N2 Clontibret to the Border Scheme:

On the proposal of Cllr Gallagher, seconded by Cllr Connolly it was agreed that this Council wishes to ensure that the “N2 Clontibret to Border Scheme” is treated in the same fashion as the entire route from Letterkenny to the Border and that we correspond with all local authorities along the route and the Minister for Transport to ensure that this happens.

Extension of planning permissions:

On the proposal of Cllr Coyle, seconded by Cllr O’Brien it was agreed that the Council write again to the Minister for the Environment, Heritage and Local Government, in relation to Section 23 of the Planning and Development (Amendment) Bill 2009 requesting that he reconsider his decision not to apply the extension of planning permissions on a retrospective basis.

Resolution from Limerick County Council:

On the proposal of Cllr Crowe, seconded by Cllr Keelan it was agreed that the Council support the resolution from Limerick County Council calling on the Government to take the necessary steps to have the Christmas bonus reintroduced for people in receipt of old age pensions.

Urgent Business:

The Mayor advised the Council that she had received a number of notices of urgent business. She referred to Standing Order 14.2 which states that motions of urgent business should relate to a function of the Council and that at least one-half of the total number of members of the Council must vote in favour of the resolution.

Cllrs O’Hanlon and McNally referred to the fact that the Council was not dealing with the business on the agenda and that urgent business was taking precedence over this. They proposed that the matter be referred to the Standing Orders & Procedures Committee. Cllr McNally stated that he would make a submission to this committee.

The Mayor then outlined the various notices to the Members

1. Notice in the names of the Fine Gael Members

“ That the Council discuss the recent announcements by Minister Brendan Smith in relation to REPS, Area Aid Payments, the DVO Office in Ballybay Town and the Agriculture Office in Monaghan Town and the devastating effects that these decisions will have on farmers workers and the wider economy of Co. Monaghan.”

The Members agreed to deal with this motion.

Following a debate on the matter to which a number of members contributed Cllr Bannigan proposed, Cllr Murray seconded

“ That this Council seeks a meeting with Minister Smith, An Taoiseach and Minister Coughlan regarding the removal of the Department of Agriculture offices from Ballybay and relocating the services to Cavan Town. ”

The motion was agreed unanimously by the Members.

“ Cllr Bannigan proposed, Cllr Murray seconded that this Council asks Cllr O’Brien to obtain in writing from Minister that none of the 60 jobs in Ballybay will be removed and that Ballybay will remain a Department of Agriculture office that is open to the public ”

Cllr O’Brien proposed an amendment – *that the Council write directly to the Minister for Agriculture seeking this information.* Cllr Gallagher seconded the amendment.

A vote by show of hands on the amendment resulted in 12 for 4 against and 2 abstentions – the Mayor declared the amendment carried. The substantive motion was put to the meeting and agreed unanimously.

The Mayor stated that she had three notices of urgent business in relation to the same issue – the Rural Transport Scheme in Co. Monaghan known as the Balti bus, as follows:

2. Notice in the names of Sinn Fein Members

“ That this Council calls on the Government to protect and enhance the services of the Rural Transport Programme, such as that provided by Balti Bus in County Monaghan and refuse to implement the proposal, contained in the McCarthy report, to abandon the scheme.

3. Notice in the names of the Fianna Fail Members

“ That Monaghan County Council supports calls to ensure the continuation of the rural transport scheme and commend the operators of the rural transport scheme for County Monaghan Balti Bus, for the excellence of the service they provide. ”

4. Notice in the names of Cllr Murray and Bannigan

“ That Monaghan County Council is totally opposed to any reduction in funding for the Rural Transport Scheme which is of so much benefit to its many users in Co. Monaghan.

The members agreed to deal with the three motions.

All members were unanimous in support of the continuation of funding for the Rural Transport Programme and praised the operators of the Balti Bus service. The service caters for many elderly people and without it, they would not see another individual from week to week. The economic and social benefits of the service cannot be underestimated. The service represents considerable value for money – there are low operating costs because of the way the scheme is run and the amount of volunteerism involved. The McCarthy Report recommended the discontinuation of the rural transport programme because of the existence of public transport services and the proliferation of private motor vehicles. However it was evident that there was no bus service in the rural communities served by the Balti Bus and the people who availed of it did not own and could not afford cars.

On the proposal of Cllr Humphreys, seconded by Cllr Bannigan it was agreed that the Council write to the Minister for Transport asking him to ensure funding is made available to continue the Balti Bus services in view of the tremendous support and assistance this service gives to people living in rural areas.

5. Notice in the names of the Sinn Fein Members:

“ That Monaghan County Council opposes the establishment of the body known as the National Assets Management Agency (NAMA) on the grounds that it will:

- 1. Not solve the banking crisis, which can only be brought about through nationalisation.*
- 2. Indebts Irish people for up to €70 billion while essential public services such as facilities at Monaghan General Hospital classes for children with special needs and vital Rural Transport schemes have been targeted for cuts.*
- 3. The legislation to establish NAMA contains flawed and potentially illegal sections, such as the section allowing the compulsory purchase of adjacent land in order to finish developments.*

We call on this government to immediately nationalise those banks of systemic importance to the state and to establish a state banks with the aim of providing credit to business and secure affordable mortgages in order to kick-start our economic recovery.

The members agreed to deal with this motion.

In proposing the motion Cllr Conlon called on the Council to support the proposal and that a copy of the motion be forwarded to the Minister for Finance, if adopted. The motion was seconded by Cllr S. McKenna.

Cllr Carville proposed an amendment to Cllr Conlon’s motion, as follows:

Delete the words at point 1. ... *“which can only be brought about through nationalisation.”* And also delete the following words in the last paragraph of the motion *“nationalise those banks of systemic importance to the state and to establish a state bank with the aim of providing credit to business and securing affordable mortgages in order to kick-start our economic recovery.”* And insert the following words instead *“take action to ensure the credit becomes available to businesses and the general public.”*

Cllr Murray seconded Cllr Carville’s amendment.

The Mayor put the amendment to the meeting

A vote by show of hands resulted in 13 for 7 against. The amendment was carried – the Mayor then put the substantive motion to the meeting. A recorded vote resulted as follows:

For - Cllrs Bannigan, Carthy, Carville, Conlon, Connolly, Crowe, Humphreys, Keelan, Maxwell, McElvaney, B. McKenna, S. McKenna, Murray, P. Treanor and S. Treanor. Total 15

Against: Cllrs Coyle, Gallagher, McNally, O’Brien and O’Hanlon. Total 5

The Mayor declared the motion carried. It was agreed that a copy would be forwarded to the Minister for Finance.

6. Notice in the names of Cllrs Carthy and Keelan:

That this Council calls on the Minister for Environment, Heritage and Local Government and the Minister of State with responsibility for Housing to undertake an immediate review of the mandatory policy which compels Affordable Housing Mortgage holders to take out a Mortgage Protection Policy with a single company denying mortgage holders any choice and in some instances will cost families over €10,000 in additional charges over the lifetime of their mortgage.

Cllr Carthy proposed the motion, Cllr Keelan seconded. The Mayor put the motion to the meeting and it was agreed unanimously.

3. Financial Report to year end 31st August, 2009:

The County Manager referred to the financial report which had been circulated with the agenda.

Cllr Maxwell proposed that in order to fully consider the financial report from the County Manager that a special meeting be held on Monday 21st September, 2009.

The Mayor seconded this proposal which was put to the meeting and agreed. It was further agreed that the meeting would commence at 10.00 a.m. and end at 1.00 p.m.

4. Notice under Part 8 of the Planning and Development Regulations 2001:

Ref No: 09/8002 - proposal to construct a public footpath with associated site works along the bank of the Mountain Water River at Emyvale, Co. Monaghan.

Following queries from a number of members in relation to this planning application it was agreed to defer making a decision on it until the members for the Monaghan Electoral Area had discussed it with the Planners/Engineer.

Following a discussion between the members for the Monaghan Electoral Area and Planners/Engineer,

Cllr Maxwell proposed, Cllr Connolly seconded and it was agreed that the Council approve the proposed development as per the report from Mr. D. Fallon, Director of Services, dated 25th August, 2009.

(ii) **Ref No. 09/8003** – demolition of building known as McAviney's on Main Street, Ballybay to facilitate junction improvement at Hall Street (Clones Road junction)

Cllr Bannigan stated the he was not happy with the recommendations of the Director of Services which had been circulated to the members. He proposed the following amendments to the report.

That the Council approve the proposed development as per the report from Mr. P. Clifford, Director of Services, dated 2nd September, 2009, subject to the inclusion of the following conditions:

- (a) prior to the commencement of any development the proposed finish to the newly exposed gable wall and the erection of any new boundary wall or fence will be discussed with the owners of the protected structure and agreed with the Planning Authority.*
- (b) The proposed location of the two new street lights be omitted from the Part 8 and their location be agreed locally during the development of the junction.*

Cllr Carville seconded Cllr Bannigan's proposal.

The Mayor put Cllr Bannigan's proposal to the meeting which was agreed unanimously.

5. To consider Variation No. 15 to the Monaghan County Development Plan 2007-2013:

Mr. Toirleach Gourley, Senior Executive Planner referred to the Manager's report which had been circulated with the agenda. The proposed variation was recommended by members of Monaghan County Council and is as follows:

Materials used should relate to those of adjoining development and other buildings visually linked to the development. The use of combinations of materials, excessive ornamentation or non traditional materials should be avoided. Where mixed finishes are proposed, a maximum of two different finishes will be acceptable.

The reasons provided by elected members in support of this proposed variation are as follows:

- 1. Mixed finishes have been a tradition in Co. Monaghan.***
- 2. Allowing mixed finishes will lead to more creativity.***
- 3. Mixed finishes will assist in providing visual interest in dwelling designs.***

Mr. Gourley stated that two submissions had been received during the public consultation period. The Manager's report recommended that the proposed variation to the Monaghan County Development Plan 2007 – 2013 as set out would be in the interests of the proper planning and sustainable development of the county.

On the proposal of Cllr McNally, seconded by Cllr Maxwell it was unanimously agreed that the Council adopt Variation No. 15 to the Monaghan County Development Plan 2007-2013 to relax the requirements in respect of external finishes of rural housing – Policy RD11 as follows:

Materials used should relate to those of adjoining development and other buildings visually linked to the development. The use of combinations of materials, excessive ornamentation or non traditional materials should be avoided. Where mixed finishes are proposed, a maximum of two different finishes will be acceptable.

6. To consider correspondence from DoEHLG in relation to Variation No. 12 to the County Development Plan 2007-2013:

The Members considered letter dated 24th August, 2009 from the Spatial Policy Section of the Department of the Environment, Heritage and Local Government stating that ... *“it is the opinion of the Minister that, on the basis of the information available, the planning authority is not in compliance with the Ministerial Direction issued under section 31 to the Council in July 2007 by virtue of the adoption of Variation No. 12 on 9th July, 2009. The Council is obliged to resolve this non-compliance given that under Section 31(4) of the Planning and Development Act 2000, in exercising any power conferred on them by this Act, neither the Manager nor the elected members of any planning authority shall exercise the power in conflict with any direction of the Minister. The Council are reminded of the Department’s previous letter of 12 June in which it was proposed that the Council develop a more justifiable approach, providing sound evidence-based analysis of any significantly changed circumstances since 2007 and how the related proposed policy changes are consistent with the thrust and intention of the Ministerial Direction. In this context, the Department remains available to offer its advice and assistance, as necessary.”*

The Members also considered a letter from the Council’s legal advisor Mr. Enda O’Carroll dated 2nd September, 2009 which gave the opinion that the variation appears to be in conflict with the Minister’s Direction and if it is, then the variation is ultra vires the powers of the elected members and is therefore, for all intents and purposes, a nullity.

On the proposal of Cllr Carthy, seconded by Cllr Carville it was agreed that the Council seek a meeting with officials from the Spatial Policy Section of the Department of the Environment, Heritage and Local Government to put forward the Members views in relation to the reality of the situation on the ground in County Monaghan.

7. To approve list of Newspapers for planning notices in accordance with Part 4 Article 18 (2)(b) of the Planning & Development Regulations 2006.

Cllr McNally proposed that the Council would include the Carrick Gazette, an on-line newspaper in the list of approved papers.

Mr. P. Clifford Director of Planning stated that not everyone had access to internet facilities to view the Carrick Gazette and also the Council has no record of usage/circulation figures in respect of this online paper in the Carrickmacross area.

Cllr Maxwell proposed that the Council include on the list, newspapers under the News International Group (ie The Irish Sun, The Irish News of the World and the Sunday Times). There was no seconder for this proposal.

On the proposal of Cllr Gallagher, seconded by Cllr Treanor it was agreed that the following newspapers be approved by the Council for the publication of planning notices in accordance with Part 4 Article 18 (2)(b) of the Planning & Development Regulations 2006.

Monaghan Electoral Area

Northern Standard, Monaghan Post,
Anglo Celt, Irish Independent, Irish Daily
Star, Irish Times.

Carrickmacross Electoral Area	Northern Standard, Monaghan Post, Dundalk Democrat, Irish Independent, Irish Times, Irish Daily Star.
Castleblayney Electoral Area	Northern Standard, Monaghan Post, Dundalk Democrat, Anglo Celt, Irish Independent, Irish Times and Irish Daily Star.
Clones Electoral Area	Northern Standard, Monaghan Post, Anglo Celt, Irish Independent, Irish Daily Star, Irish Times.

8. To consider Section 183 notices

(i) Disposal of land at Drummond Otra, Carrickmacross.

On the proposal of Cllr McNally, seconded by Cllr Carthy it was agreed that the Council approve of the disposal of .0487 ha in the townland of Drummond Otra, Carrickmacross to Martin & Ann Crilly, Drummond Otra, Carrickmacross in accordance with notice dated 27th August, 2009 under Section 183 of the Local Government Act 2001.

(ii) Disposal of land at Aghacloghan, Carrickmacross

On the proposal of Cllr McNally, seconded by Cllr Carthy it was agreed that the Council approve of the disposal of .0946 acres in the townland of Aghacloghan, Carrickmacross to Mary Watters, Aghacloghan, Carrickmacross in accordance with notice under Section 183 of the Local Government Act 2001.

9. To receive report on Carrickmacross Civic Offices project.

It was agreed that consideration of this item be deferred until the 21st September, 2009.

10. Higher Education Grants Scheme 2009:

The Members noted the terms of the Higher Education Grants Scheme 2009 which had been adopted, in principle, at the July Council meeting.

11. To consider recommendations from Corporate Policy Group meeting held on 31st August, 2009

(i) To consider Draft Scheme for Strategic Policy Committees 2009-2014

Mr. P. Clifford referred to the Draft Scheme for Strategic Policy Committees 2009-2014 which had been considered by the Corporate Policy Group and recommended to the full Council for adoption. The draft Scheme proposes four SPC's which will reflect the areas of responsibility of the Service Directorates within the Council.

These are –

- (a) Housing policy
- (b) Planning and Development policy
- (c) Environmental and Infrastructure policy
- (d) Social, Cultural, Voluntary & Community policy

On the proposal of Cllr Bannigan, seconded by Cllr Maxwell it was agreed that the Draft Scheme for Strategic Policy Committees 2009-2014 be adopted and that it be placed on public display and submissions invited from the public.

It was further agreed that the Chairs designate of the Strategic Policy Committees, as agreed at the first meeting of the Council following the local elections, be assigned to the SPC's as follows:

<u>Strategic Policy Committee</u>	<u>Chairperson</u>
Housing policy	Cllr Matt Carthy
Planning and Development policy	Cllr David Maxwell
Environmental and Infrastructure policy	Cllr Brian McKenna
Social, Cultural, Voluntary & Community policy	Cllr Robbie Gallagher

The County Manager advised the Council that the legalities regarding the High Court case with Harrinbrook 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 fire in 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 Harrinbrook in order to finalise the matter.

He further stated that Mr. Adrian Hughes, Senior Planner is currently engaged on preparing a report on the development of the estate. The Council's Law Agent, Mr. Enda O'Carroll will present a paper on the legal aspects of the case and the options open to the Council at the next meeting of the Corporate Policy Group scheduled for Monday 14th September, 2009.

Canadian Ambassador:

The Mayor advised that she had been contacted by His Excellency Mr. Pat Binns, Canadian Ambassador to Ireland who would like to address the full Council at a future meeting. The Corporate Policy Group had discussed the matter and had recommended to the full Council that Ambassador Binns be invited to address the Members at the October Council meeting.

On the proposal of Cllr Bannigan, seconded by Cllr Carville it was agreed Ambassador Binns be invited to address the Council at 2.30 p.m. on the day of the October Council meeting.

It was agreed that consideration of the following items be deferred until Monday 21st September, 2009.

- (ii) Preparation of Corporate Plan 2009-2014
- (iii) Community Development Fund – Allocation of funds under Measure 3
- (iv) Future roll out of the Per Cent for Arts Scheme
- (v) Revised Road Areas and allocation of funding
- (vi) To consider draft County of Monaghan Bye Laws for the regulation of personal water craft (jet skis) 2009.

12. To elect representatives to the following Committees:

It was agreed that consideration of this item be deferred until Monday 21st September, 2009.

13. Proposed Eirgrid 440kv Interconnector – Update from Eirgrid officials

The Mayor welcomed Tomas Mahony, Bernard O'Reilly, Aiden Corcoran, Shay Brennan and David Martin from Eirgrid to the meeting and invited them to update the Council in relation to progress on the proposed 440kv Interconnector.

On behalf of Eirgrid, Tomas Mahony, Bernard O'Reilly and Aiden Corcoran addressed the Council and outlined the background to the project and advised the members of the current status of it. Referring to the undergrounding of the powerlines, Members were advised that in accordance with the PB Power report undergrounding would cost approx, €588 to deliver whereas the overground option would cost in the region of €81m. Underground cables are not as efficient as overhead lines and faults encountered are not as easily dealt with.

In response to queries from members as to what powers Eirgrid have in relation to land acquisition Mr. O'Reilly said that the levels of interaction which Eirgrid had experienced to date with landowners is not dissimilar to the levels of interaction they had with landowners on other similar projects in the past. He stated that Eirgrid have the power to use compulsory purchase orders, if necessary but they would prefer to acquire land by agreement. Mr O'Reilly referred to the requirements of the National Spatial Strategy and the energy needs of existing businesses and new businesses proposing to set up in the region. The existing transmission system needs to be replaced. Also the cost of electrical energy across the country is causing difficulties for business and Eirgrid are looking at ways of driving the price down so that it does not banish manufacturers from the country. Mr. Corcoran then explained how the project aligned with Eirgrid's 'Grid 25 strategy'.

Following the presentation the Eirgrid officials responded to queries from the Members. The Mayor thanked them for an informative presentation.

14. To receive reports from Members attending Conferences:

The Members noted the reports from Cllrs Coyle, Maxwell, McElvaney and McNally 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

15. Business submitted by County Manager

There was no business submitted by the County Manager.

17. Questions:

Cllr P. Connolly asked:

1. (a) Will the target dates for the completion of the upgrading of sewerage works in Monaghan town be achieved and are works progressing satisfactorily?
- (b) How many homes were targeted for connection to the scheme?
- (c) Is the cost of connection to the scheme proving to be a prohibitive factor for some home owners

Reply:

- (a) **Construction work on the North East Serviced Land Initiative commenced on the 8th September 2008. The 80 week construction contract is currently on programme and the civil works are progressing satisfactorily.**
- (b) **The North East Serviced Land Initiative, when completed, will service existing developments as well as providing sewerage services for 118 hectares of zoned land or approximately 1,050 potential housing units.**
- (c) **Monaghan Co. Co., Water Services Section, has not received a significant number of wastewater connection applications to the new scheme, to date. The cost of a connection is in compliance with Monaghan Co. Co.'s current development contribution charges.**

Cllr P. Connolly asked:

2. In relation to the N2 approach to Monaghan town what plans are in place to repair/restore that road from Westenra Terrace north for a distance of 300 metres?

Reply: It is intended to overlay this section of road with a wearing course material within the next few months.

3. In view of the fact that there is quite a volume of pedestrian traffic including local, recreational and residents from St Patrick's Accommodation Centre using the route, what plans are there to provide a footpath or pedestrian bridge at Ballyalbany Bridge?

Reply: Monaghan County Council have no plans to provide a footpath or pedestrian bridge at Ballyalbany Bridge. Monaghan Town Council were progressing plans to provide a pedestrian bridge but did not receive sufficient funding in the current budget to advance the project.

17. **Questions** (contd);

Cllr. P. Treanor asked:

4. What plans have Monaghan County Council in place to erect a Bus Shelter at Swans Cross to facilitate the safety of school students waiting for a connecting bus, during the wet cold winter months? When will the shelter be in place?

Reply: There are no plans at present to erect a bus shelter at Swanns Cross. Clones area engineering staff will investigate the possibility of installing such a shelter and the associated costs, with a view to seeking funding for it in 2010.

5. What plans have Monaghan County Council in place to improve the sight lines at the very dangerous road junction in Aghnaskew, Scotshouse, known locally as Victory's Corner? When will these works be carried out?

Reply: An application for low cost accident reduction funding has been made for this junction on the R212 in 2010.

Cllr. H. Humphreys asked:

6. When does Monaghan County Council expect to be in a position to provide public lighting at Aughnamullen Church of Ireland?

Reply: Monaghan County Council have received a design and costing from the ESB. This work will be included on the public lighting programme and will be presented at the next Clones Area meeting due to the forthcoming restructuring of the areas for discussion

7. When does Monaghan County Council expect to be in a position to complete the car park and bring bank facility in Newbliss village?

Reply: It is envisaged that the car park and bring bank facility will be completed by the end of October as initial ground works are now complete.

Cllr. R. Gallagher asked:

8. Could the Council in the interests of safety for residents and particularly children, investigate the possibilities of constructing ramps at the entrance to the Cappog housing estate in Ballinode?

Reply: The Council will investigate.

Cllr. R. Gallagher asked:

9. Could the Council:
- (a) Clarify the situation for owners of second homes in the county with regard to payment of the 200 euro second home tax particularly with regard to how a house is judged eligible for the tax, when tax is due, penalties for late payment and any other information which the owners of second homes may need?
- (b) Clarify what the anticipated revenue for the Council is likely to be and what steps it intends to take to alert people of their responsibilities with regard to payment of the tax?

Reply:

(a) Based on details from the DoEHLG, the number of properties liable to the Non Principal Private Residence (NPPR) charge is as follows:

Rented Dwellings	815
Vacant Dwellings	1,795
Vacant Holiday Homes	171
Total	2,781

Assuming NPPR is paid on all properties detailed above, the income generated would amount to €56,200 for the county including the towns.

(b) Regarding the payment of the NPPR charge there has been advertisements in the national and local press.

10. Could the Council clarify the situation with regard to the future maintenance and upkeep of the roundabouts on the Monaghan bypass and any plans there are to upgrade the appearance of same?

Reply: Monaghan County Council has a 3 year maintenance contract with the landscape contractor for the scheme and this will expire in January 2011. We are presently investigating the possibility of getting sponsorship for the landscaping and maintenance of the roundabouts in the future.

11. With regard to the link road between the N2 and N54, what is the present position and what is the time frame for the next stage of this project?

Reply: There is presently no funding available to advance this scheme. However Monaghan County Council is presently examining the proposed junction at the Clones Road end of the scheme and it is hoped to have a proposal for discussion at a Council meeting in the near future.

Cllr. R. Gallagher asked:

12. Would the Council investigate what safety measures could be provided on the Rafeenan road (L1620) at a narrow and dangerous bend between Monaghan Rugby Club and the Garden Centre where there is very little verge and a sheer drop away from the road.

Reply: The Council will investigate what safety measures can be provided at this location.

Cllr. N. Keelan asked:

13. In relation to the ongoing work on the upgrading of the Carrickmacross Sewerage Collection Network, when can the people of the area expect to see the approach roads and the town centre roads, which were damaged as a result of these works, fully reinstated to an acceptable condition?

(a) What efforts will the Council make to ensure that road and street reopening deadlines are met. Can the Council or its agents sanction some overtime payments to the contractor in order to ensure that streets are reopened as per agreed deadlines?

(b) In relation to the project in general, what progress has been made in relation to the upgrading of the Sewerage Treatment Plant?

(c) When can households not currently served by the Sewerage Collection Network expect to be allowed to connect into the network?

(d) Will each household not currently served by the Collection Network be entitled to a 60% reduction in the cost of a connection as was agreed some time ago?

Reply:

- (a) **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. The contractor will continue to maintain the temporary reinstatements as provided for in the contract.**
- (b) **Monaghan Co. Co. and the Clients Representative, T. J. O Connor & Associates continuously monitor progress on the Pipelines Contract. The programme proposed by P & S Civil Works is monitored and reviewed on a continuous basis. Every effort is made, by all parties involved in the contract, to ensure that milestone dates are met and that road closure windows are complied with. Meeting ‘deadline dates’ is the contractor’s responsibility and it would be inadvisable to sanction ‘extra over’ payments to a contractor for failure by a contractor to meet programme milestones, given the extent of works yet to be completed.**

- (c) **Monaghan Co. Co. has made a technical submission to the DEHLG in relation to Carrickmacross Wastewater Treatment Plant. The submission proposes an interim solution to the WWTP deficiencies by advancing elements of the main contract. The advance works are designed to enable the treatment plant to accommodate an additional loading as a result of the new pipelines contract. The advance works will be incorporated into the new wastewater treatment plant, when complete.**
- (d) **New connections to the pipelines contract will be facilitated following completion of the advanced works at the WWTP. The advanced works are contingent on DEHLG approval of the technical submission and the associated Water Pricing Report.**
- (e) **A 50% reduction in the wastewater connection charge to the new Carrickmacross wastewater scheme will be applicable to existing dwellings on septic tanks or effluent treatment systems. On completion of the scheme, Monaghan Co. Co. will write to the estimated 390 houses in question, inform them of the reduction, and request them to apply for a connection within the six month period, within which the reduction is applicable.**

Cllr. N. Keelan asked:

- 14. What provision has been made in relation to the provision of a pedestrian crossing adjacent to Highfield estate in Carrickmacross, as was agreed some time ago? Are there any plans to provide a second crossing adjacent to the Kingscourt – old Ardee Road junction in the interest of pedestrian safety?

Reply: An application has been made for funding for 2010. There are no plans for a second crossing.

- 15. How many people/families are currently on the Carrickmacross Social Housing Waiting list? How many people/families are currently on the Affordable Housing Waiting List for the Carrickmacross town area. What efforts are being made to ensure that the housing needs of people are being met?

Reply: There are 196 applicants on the housing waiting list for Carrickmacross. This figure includes persons housed under the Rental Accommodation Scheme and those who are in receipt of Rent Assistance from the Department of Social and Family Affairs and not actively seeking housing. There are 51 applicants seeking affordable housing in Carrickmacross. A proposal to construct 22 units at Cloughvalley under the Social Housing Investment Programme is awaiting approval to proceed to tender stage from the Department of the Environment, Heritage and Local Government.

Cllr. G. Carville asked:

16. In relation to the completion of works on the Castleblayney By-Pass, what is the up to date position re -
- a) the completion of accommodation works for property owners along the route and in those areas affected by the construction works
 - b) the continuation of the contractor on site
 - c) the settlement with landowners for land acquisition under the CPO
 - d) the erection of effective and appropriate signage for the town of Castleblayney
 - e) the creation of slip-lanes for access to and from the By-Pass at the Shercock Road and Ballybay Road junctions?

Reply:

- a) **Accommodation works are now substantially complete.**
 - b) **We have been informed by the contractor GTCL that it is intended to have all outstanding works and snags completed by the end of Sept 2009.**
 - c) **Out of a total of 114 landowners there are 2 where we have not reached agreement on compensation.**
 - d) **Direction signs for Castleblayney Town have been provided on the Bypass at the southbound approach to the Ballybay Road Interchange and at the northbound approach to the Tullyvin Roundabout. Also there are numerous advance direction signs for Castleblayney along the new Bypass in both directions. In addition two tourism information signs have erected for Castleblayney, one at the Ballybay Road Interchange and one at the Tullyvin Roundabout.**
 - e) **Monaghan County Council has been informed by the NRA that there is no funding at present to provide slip lanes and public lights at any of the junctions on the Bypass.**
17. What progress is being made by the Council in relation to eradicating the foul smell in the Drumillard / Monaghan Road area of Castleblayney? Has the Council recently met with the representatives of the Company allegedly at the centre of the problem and what is the outcome in terms of action taken and to be taken?

Reply: The chemical dosing kit is now fully operational and dosing a trial amount of the odour reducing chemical. The monitoring is continuing at two locations downstream and over recent three weeks is showing marked improvement with 96% reduction in peak values of the foul smelling gas. The businesses concerned have been met with and licence review is well underway.

18. What is the up to date position with regard to roads funding for the Local Roads Restoration Programme? Will the Council be able to complete this year's amended programme as agreed in May?

Reply: The Council intends to complete the amended programme as agreed in May.

Cllr. G. Carville asked:

19. How much has Monaghan County Council spent on payments to consultants for various schemes and studies in 2009?

Reply: Monaghan County Council has spent €1,614,745 on consultants and professional fees to the end of August 2009. This amount relates to payments for a wide range of services including consultants, legal, coroner and doctor fees. The breakdown between Revenue Account and Capital Account is as follows Revenue €669,679 and Capital €18,065

20. Will the Council examine the possibility of public lighting at Cremartin Cross and at the junction at Atkinson's Pub, Cremartin?

Reply: This area has a pub, GAA grounds and a small number of one off housing. Under the County Development Plan, Cremartin falls under Tier 6 Settlements and therefore it is unlikely that there will be significant development in this area over the life of the plan. Having regard to schedule of requirements for public lighting in other areas it is considered that this area to be rural and wouldn't merit the provision of public lighting at this time.

Cllr. S. Treanor asked:

21. Will the Council ask the NRA for justification for the rejection of the proposal to place a junction box on the N2 road at the top of Castleshane Hill, at the right turn for Ardagh?

Reply: The proposal to provide a junction box at this location was not sent to the NRA because Monaghan County Council as the Roads Authority, having examined the matter, decided that the proposal would have no beneficial effect with regards to traffic movements. The junction is presently being examined as to what beneficial safety measures could be put in place at this location.

22. Does Monaghan County Council intend to re-surface and re-align the main Armagh-Monaghan Road (at the Tyholland border)?

Reply: There is presently no funding for a major realignment or resurfacing of the N12. However in 2009 approximately 600 metres of this road from its junction with the N2 will be repaired under the National Primary Pavement Surfacing Programme.

23. Can you please give an update of what work is to be carried out on the N2 below Town of Monaghan Co-Op (Simpson's)?

Reply: Normal maintenance of this road will be carried out under the National Primary Maintenance Fund.

Cllr. S. Coyle asked:

24. When will Monaghan County Council have all works complete and connections made by the ESB to the additional public lighting at Latton Village?

Reply: The lighting columns and lanterns are in place and ready for the ESB to connect.

25. Following the adoption by Monaghan County Council of a proposal for a meeting of Cavan County Council, Ballybay Town Council and Cootehill Town Council to discuss the development of the Dromore water system, what response has been received by Monaghan County Council from these local authorities and, if no reply has been received, can they be communicated with again, following the local elections?

Reply: There has been no progress on this matter.

Cllr. P. McNally asked:

26. When does the Council expect to be in a position to erect additional public lighting at Shantonagh?

Reply: This is not included in the 2009 programme and no funding is currently available.

27. Has this Council made any progress with regards to improving the water pressure at Lurgans, Carrickmacross?

Reply: A site for a water pressure booster station has been chosen at Lurgans. ESB connection has been applied for some weeks ago, pump procurement well under way.

28. Given that ragweed is an illegal weed to have growing on farmland, has this Council any plans to deal with the very serious problem of ragweed growing along our roads, especially our bypasses, as it is a terrible eyesore?

Reply: This item will be placed on the agenda for the next road area meetings for discussion.

29. Has this Council drawn up a plan for a right turning lane at the Drumgossett junction on the Kingscourt-Carrickmacross Road, as promised?

Reply: A proposal will be prepared for discussion at the next road area meeting. No funding is available in the current budget.

Cllr. M. Carthy asked:

30. Does the Council accept the need for a footpath and additional public lighting to be put in place at Lurgans, Carrickmacross, considering the large number of pedestrians who are walking in this area? Will the Council put in place a plan to provide these facilities in the interests of road safety?

Reply: There is an obligation on developers under planning to provide footpaths and lighting. The Council has no funding to undertake this work at present.

31. What is the up-to-date situation regarding the provision of a group home in Carrickmacross for a group of women with physical/ sensory disabilities? When is it expected that this important project will be completed?

Reply: A site has been identified and Council officials will be meeting the families of the applicants and the HSE in late-September to finalise numbers to be accommodated and agree layouts. A completion date cannot be estimated at this time as the project has not yet been fully defined and an application for funding is to be submitted to the Department following the meeting referred to.

32. How many individuals and families, per electoral area, are currently on Monaghan Local Authority Social Housing Waiting lists? How many local authority houses, and where, will be provided in the remainder of 2009?

Reply: There are currently 984 applicants on the Social Housing Waiting List for Co. Monaghan. This figure includes persons housed under the Rental Accommodation Scheme and those who are in receipt of Rent Assistance from the Department of Social and Family Affairs and not actively seeking housing. In the remainder of 2009, Monaghan County Council will provide a further six social houses in Oram.

33. When is it expected that fencing will be erected around the perimeter of the play-park at Convent Lands in Carrickmacross in order to improve safety and security of the play equipment?

Reply: There is an existing 1.2 metre (four feet) high steel fence around the play-park and there are no plans to erect any further fencing around the perimeter of the play-park at Convent Lands.

19. Votes of Congratulations/Sympathy

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

- Shane Murphy, Smithboro Boxing Club on winning a world title, at the recent World Amateur Boxing Championships in Kansas, U.S.A.
- Tyholland G.A.A. club on winning the U-16 championship

- Gymnasts from Killeevan who won medals at the National Finals of the Community Games: Carol Gibson – 2nd U-12; Gerard Graham 1st U-16; Daisy Monahan 1st U-14; Natasha Nolan.

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

- Dr. Joseph Duffy, Bishop of Clogher, on the death of Canon Vincent Morris, DD, Castleblayney.
- The wife and family of the late Patsy Lambe, Annadrummond, Castleblayney, a former member of the Council's outdoor staff.
- Staff members Ann Murray and Martina McKearney on the death of their father Peter Brennan, Lisdungormal, Annyalla.

20. Conferences

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

Promoting Authority	Subject/The me	Venue	Dates	Amount	Members
AMAI	96th Annual Conference 2009	Gleneagle Hotel, Killarney	10th-12th September	Total €846	Paudge Connolly John O'Brien Robbie Gallagher Gary Carville Owen Bannigan H. Humphreys
Omagh District Council	Benedict Kiely Literary weekend	Strule Arts Centre, Omagh	10th-13th September	Total €360	P. J. O'Hanlon Seamus Coyle Hugh McElvaney
Cavan Community & Voluntary Forum	What is the role of the community & voluntary fora?	Cavan Crystal Hotel, Cavan	17th – 18th September	Total €207	Pat Treanor Padraig McNally John O'Brien Aidan Murray
Carlow Tourism	Carlow Tourism National conference	Talbot Carlow, Portlaoise Rd, Carlow	24th-26th September, 2009	Total €671	Robbie Gallagher P. J. O'Hanlon Owen Bannigan David Maxwell H. Humphreys
TJK Conferences	L.G. Seminar for Councillors	Patrick Punch Hotel, Limerick	25th-26th September	Total €557	Padraig McNally Seamus Coyle Aidan Murray Gary Carville

Signed: _____
Meara Meetings Administrator

Date: _____