

## **Municipal District of Ballybay-Clones**

Minutes of proceedings of monthly meeting of the Municipal District of Ballybay-Clones held on 21<sup>st</sup> September 2015 at 10.30am in Clones Courthouse, McCurtain Street, Clones, Co Monaghan.

**Members Present**        The Cathaoirleach, Cllr Eugene Bannigan, presided

The following members were also present:-Cllrs:- Cathy Bennett, Hugh McElvaney, Ciara McPhillips and Pat Treanor

**In Attendance**        Adge King, Director of Services, Kevin McNally, Municipal District Co-ordinator, Kieran Duffy, Executive Engineer, Angela Gallagher, Staff Officer, Dianne McPhelim, Intern

**Apologies**                Cllr, Seamus Coyle,

### **1. Confirmation of minutes of monthly meeting**

The minutes of the July monthly meeting were proposed by Cllr Pat Treanor and seconded by Cllr Cathy Bennett.

### **2. Matters arising from Previous Minutes**

Cllr Cathy Bennett referred to page 1, paragraph 1 of matters arising regarding safety measures at Kilmore football grounds and asked if signs could be erected. Mr Kieran Duffy confirmed that this will be considered.

Mr Kevin McNally referred to paragraph 2 on page 1 regarding the Social Welfare Offices in Ballybay and confirmed the following:-

- There are complex property management issues to be resolved regarding the proposed alternative property in Monaghan Town (for the Ballybay Department of Social Protection (DPS) offices)
- At the moment the Ballybay DPS offices will be retained in Ballybay – there is no definite timescale for this retention
- It is still the desire of the DSP to consolidate their operations in Monaghan Town – this is for operational reasons and also the savings that will be generated. DPS will review this position again
- DSP will reconsider Monaghan County Councils offer to use the offices of the former Monaghan Town Council – these are located in Monaghan Town centre
- DSP's Facilities Management Unit will contact the Department's Business Owner of the Public Services Card operations and the OPW to see if there is a feasible solution within Ballybay for continuing the back office operations

Cllr Cathy Bennett stated that staff were being retained in Ballybay to fulfil back office functions and noted that this issue had been discussed at County Council level during which it was agreed that the County Council would write to the Tanaiste, Joan Burton seeking her support to retain the Social Welfare Offices in Ballybay.

Cllr Hugh McElvaney stated that when Monaghan County Council was asked if they had made an offer of premises in Monaghan, officials from the Council had denied this.

Mr Kevin McNally confirmed that the Municipal Office had sent copies of all emails and correspondence between the Municipal District office and the Department of Social Protection to the Councillors and the Municipal Office was endeavouring to retain the Department of Social Welfare Offices in Ballybay.

In order to retain the Department of Social Welfare Offices in Ballybay, Monaghan County Council had made an informal offer of the use of the former Monaghan Town Council offices to the Department for the purposes of their Public Service Card operation.

Mr Adge King noted there was a premise available in Monaghan Town which may be suitable for the Department for the purposes of their Public Service Card operation however no official offer had been made.

Cllr Pat Treanor stated that if the Municipal District builds a good enough case to retain the jobs in Ballybay, which is suitable for public access including disabled access and to keep in close contact with the Department, that they may decide to retain the offices in Ballybay.

Cllr Cathy Bennett stated that it would be a good opportunity to obtain a list of specifications from the Department of Social protection along with a timeframe for works to be completed.

Cllr Cathy Bennett referred to page 2 of the minutes regarding the proposal made to meet with the Chief Executive to discuss the appointment of an engineer to the Ballybay-Clones Municipal District and asked if there was any update on this. Mr Kevin McNally confirmed that an individual had recently undertaken a medical and should be confirming their start date within the next couple of days. Mr Kevin McNally also confirmed the appointment of a Graduate Engineer through a separate recruitment process.

Cllr Pat Treanor referred to page 3, paragraph 1 of the minutes regarding O'Neill Park and confirmed that the 80<sup>th</sup> Anniversary celebrations were over but asked the Council to follow up on outstanding issues promised such as the summer seats, the erection of a mirror, the additional lighting and the wall at the entrance of the estate. Mr Kevin McNally stated that the Municipal District would continue to work with O'Neill Park residents group to have these outstanding issues resolved.

Cllr Pat Treanor referred to page 4 of the minutes regarding the Ulster Canal and confirmed he had spoken to Dawn Livingston, Chief Executive Officer from Waterways Ireland who stated that the work is going ahead and that tendering for work at the bridge is currently ongoing. Cllr Pat Treanor asked if there was an update on the meeting with Minister Heather Humphrey's. Mr Kevin McNally stated that this meeting was being organised by Monaghan County Council and had no update at this time but will seek an update from Ms Carmel Thornton.

Cllr Pat Treanor referred to page 4 of the minutes in relation to the Wi-Fi update from Mr Paul Treanor and asked if there was any further feedback. Mr Kevin McNally confirmed Mr Paul Treanor had contacted the office late last week regarding investigatory works which he was asked to carry

out and it was agreed that Mr Paul Treanor would attend the October Meeting to update the members.

Cllr Cathy Bennett referred to page 5 of the minutes regarding the proposal sent to the Department of Communications, Energy and Natural Resources to make Monaghan a priority when rolling out the National Broadband Plan and stated that they had not answered this question in their response.

Cllr Cathy Bennett proposed the following:-

“That this Municipal District write again to the Department of Communications, Energy and National Resources in relation to the National Broadband Plan (NBP). Can Monaghan be placed as a priority when rolling out the NBP as presently 58% of premises within the NBP intervention area do not have broadband coverage?”

This was seconded by Cllr Pat Treanor and agreed by all.

Cllr Cathy Bennett referred to page 6 of the minutes regarding road works due to be carried out and stated that Cornacreeve Road and Drummans Road in Scotstown are in poor condition and could they be treated as a priority. Mr Kieran Duffy confirmed that all roads on that list will be completed.

Cllr Ciara McPhillips referred to page 7 of the minutes in connection with Smithboro playground and asked was work still due to commence in October. Mr Kevin McNally confirmed that subsequent to placing of adverts on the governments tender portal – etenders- 6 submissions were received – these were reviewed and the contract for the supply and installation of the equipment was awarded to Kompan. Mr Kevin McNally also stated that works should commence in the coming weeks.

Mr Kevin McNally confirmed that the Department of Children & Youth Affairs are providing a grant of €20,000 and a further €30,000 is committed from the Ballybay-Clones General Municipal District allocation.

Cllr Cathy Bennett referred to page 8, question 2 of the minutes regarding signage at Cremartin and asked if the signs have been erected. Mr Kieran Duffy confirmed that this work is now completed.

Cllr Ciara McPhillips referred to page 10 of the minutes regarding the public toilets in Ballybay and asked if the work had been carried out. Mr Kevin McNally confirmed that the toilets have been cleaned now to an acceptable standard and that the outside walls will be painted. Cllr Ciara McPhillips queried the opening and closing times of the public toilets and was advised that this information would be provided to the members at the next meeting.

Cllr Cathy Bennett referred to page 10 of the minutes regarding the Electoral Register and stated that 18 year olds should be automatically added to the register.

Cllr Cathy Bennett proposed the following:-

“That this Municipal District write to the Department of the Environment and request that 18 year olds are automatically added to the register of electors. This is a very important milestone for an 18 year old and it should happen automatically in order to encourage more people to go out and use their vote.”

This was seconded by Cllr Pat Treanor and agreed by all.

### **3. Correspondence**

#### **3.20 Letter received from the Ulster Bank**

Cllr Pat Treanor referred to the letter received from the Ulster Bank regarding the possibility of local community groups putting forward a proposal for a discounted sale of the former Ulster Bank premises in Clones. Cllr Pat Treanor stated that the site could be used as an IT space and could be suitable for small or medium enterprises.

Cllr Pat Treanor proposed the following:-

“That we seek the support of Monaghan Local Enterprise Office to prepare a proposal/case for a discounted offer for the Ulster Bank in Clones, to be used as an incubation centre for small businesses.”

This proposal was seconded by Cllr Cathy Bennett and agreed by all.

Cllr Ciara McPhillips asked for an update of the €5,000 contribution from the Ballybay-Clones Municipal District to the Local Enterprise Office for the Food Enterprise facility in Ballybay and queried whether the other two Municipal Offices contributed the same. Mr Kevin McNally stated that he would invite John McEntegart from the Local Enterprise Office to the October meeting.

#### **3.32 Letter from Chamber of Commerce Clones**

Cllr Hugh McElvaney referred to correspondence received from Clones Chamber of Commerce regarding membership and proposed that a letter of support be sent to the Chamber advising them that the Municipal District of Ballybay-Clones will continue to work with them and support them.

This proposal was seconded by Cllr Pat Treanor and agreed by all.

#### **3.33 (Additional Correspondence) Letter sent to Ballybay Chamber of Commerce**

Cllr Eugene Bannigan referred to the letter issued to Ballybay Chamber of Commerce regarding the upcoming Octoberfest in Ballybay from the 8<sup>th</sup>- 11<sup>th</sup> October and stated that this should be a great event for the town. Cllr Ciara McPhillips confirmed that Karlheinz Hierzegger and a number of German visitors from Gerweis/Osterhofen will be attending this event and that Ballybay-Clones Municipal Office should organise something for them. Cllr Eugene Bannigan suggested that a Ballybay twinning meeting be organised as soon as possible to discuss the upcoming festival.

### **4. Report by Municipal District Co-ordinator**

**Mr Kevin McNally confirmed the following:-**

#### **Recently Completed 2015 Regional and County Roads Program Works:**

- Resurfacing works on the R189 at Greenans Cross.
- Resurfacing works on the R181 from Doora crossroads towards Shantonagh Village.

- Resurfacing works on the R190 Anney back toward Ballybay.
- Resurfacing works on the LS5000 and LS5001 in Knockatallan.
- Resurfacing works on the LT70011 Drumlood road in Latton.
- Resurfacing works on the LS7300 in Tullycorbett.

**Other works recently completed include:**

- Repairs to the LP4210 on the Drumlane road at Tossy Cross.
- Completion of current OPW flood alleviation works in Threemilehouse (MD office currently in process of preparing separate application to OPW for funding to address potential further flooding on the Monaghan road in Threemilehouse)
- Completion of 2015 surface dressing program.
- Major patching works on the R190 Ballybay Cootehill road.
- Provision of traffic calming ramps on the Castleblayney road in Ballybay.
- Provision of two additional parking spaces on Diamond Clones
- Undertaking of a programme of works and provision of assistance at the recent 80<sup>th</sup> birthday party for the O'Neill Park housing estate.
- Intensive street cleansing programme in Ballybay Town – Works still ongoing in Clones

**Works due to commence in Municipal District**

- Resurfacing works on the LS6130 and the LT61603 at Greenans Cross.
- Resurfacing of the LS7020 Money Road in Latton.
- Resurfacing of the LS8913 at Raferagh
- Resurfacing of Boyher Terrace in Rockcorry.
- Resurfacing of St Dympnas Terrace in Scotstown.
- Resurfacing of Meeting House Lane in Ballybay
- Resurfacing of the R183 from Killygragy toward Swans X (At tender stage)
- Renewal of footpath on the R183 Newbliss road out of Clones.

Mr Kevin McNally stated that in addition the Municipal Office planned to carry out maintenance works on the following roads when surface dressing plant returns to the area next week:

- The LT22401 – Drumnaveale road (Scotshouse)
- LT62801/2 – Knox lane (Scotshouse)
- LT40441 – Wards Clinc road (Lough Egish)
- LT21111- Carrivetra road (Clones)
- LS6011 – Drummans Rd(Scotstown)
- LT10042 – Cornacreeve Road (Knockatallan),
- LT2311 – Church of Ireland road(Aghabog)
- LT61602 – Moores Road (Greenan X)

**Clones/Ballybay Regeneration committee**

Mr Kevin McNally stated the last meeting of the Clones Regeneration committee was held on Wednesday 22<sup>nd</sup> July 2015 and confirmed that during an earlier meeting it was agreed that the initial focus of the Clones Regeneration Committee would be on the Fermanagh Street area of Clones. It has been agreed that three properties would be examined on Fermanagh Street with the view to providing social housing. In this regard the Municipal District office has procured the services of CS Pringle to review these sites. This work is progressing quite well.

Mr Kevin McNally confirmed a review has been undertaken to identify the suitability of a particular site at the bottom of Fermanagh Street for additional car parking and that he had also met with representatives of business owners in the Diamond in Clones – during meeting the issue of lack parking was raised. This matter will be reviewed by the Municipal District once a replacement engineer has been provided.

The last meeting of Ballybay Regeneration Committee was held on Wednesday 8<sup>th</sup> September 2015. The issue of dereliction in the town and also the need for footpath repairs to be undertaken was raised. Mr Kevin McNally confirmed the Municipal District office would follow up on these matters.

Mr Kevin McNally stated that the Ballybay Chamber of Commerce on the 7<sup>th</sup> September 2015 launched their 3 day Octoberfest commencing on Friday 9<sup>th</sup> October 2015 and confirmed that a number of visitors from Osterhofen in Germany would be attending. Mr Kevin McNally stated that this promised to be an excellent weekend and will help to develop the relationship between Ballybay and Osterhofen.

### **Courthouse Acoustics**

Mr Kevin McNally confirmed that the contract for the improvement of the acoustics in the Courthouse had been awarded to Francis McGuigan Builders and that these works have now been completed.

### **Community Support Grants**

Mr Kevin McNally confirmed that further to the July meeting the Municipal District office had issued payment to nearly all the approved applicants.

### **Peace Link**

The Peace link has been shortlisted by Chambers Ireland for the 2015 Excellence in Local Government. The awards will be presented on 12<sup>th</sup> November 2015 at an awards ceremony in the Ballsbridge Hotel Dublin.

## **5. Questions**

### **Cllr Cathy Bennett asked**

1. In relation to telephone masts at Callinagh and Corcaghan. Can this Municipal district please outline what planning permission was granted here and when? Is this planning permission subject to changes on a regular basis without permission as concerns from residents have highlighted the need for a review.

Reply Mast at Callinagh

On the 29th January 2010 Cellcom Ireland Limited submitted planning application 10/27 for the retention of a 48m high telecommunications support structure, carrying antennas and link dishes together with associated equipment containers (previously granted under planning reference number 95/189).

Planning permission was granted by Monaghan County Council on the 13th May 2010. A third party appeal was submitted to An Bord Pleanala on the 9th June 2010. An Bord Pleanala granted planning permission on the 28th September 2015 (reference 18.236917).

As per condition 2 of the Bord's decision, the duration of the planning permission was granted for a period of five years from the 28th September 2010.

#### Mast at Corcaghan

The Planning Authority has no record of planning permission having been granted for the erection of a telecommunications structure in Corcaghan. It should be noted however that the Planning and Development Regulations 2001 (as amended) does permit the erection of certain telecommunications structures in specific circumstances.

#### Changes to Masts

As indicated above, some telecommunication structures can be erected without the need to acquire planning permission, subject to complying with certain specific criteria as laid out in the Planning and Development Regulations 2001 (as amended)

The Planning Authority now intends to carry out a full review of both sites, in order to ascertain compliance with the requirements of the relevant Planning Legislation.

2. Can Traffic calming measures be explored and introduced in Scotstown village please?

Reply In recent months the Municipal District office has received a significant amount of requests to install place traffic calming measures in many housing estates, villages and towns in the Municipal District. It is proposed to prepare a program of such works for the October Municipal District meeting and to seek agreement from the members on a proposed program.

3. In light of great news announced that St. Dmypnas terrace, Scotstown will receive a complete resurfacing within the next month. Could this MD please erect Children at play signs also?

Reply The proposed surfacing works are due to be completed by Mid October 2015. Subsequent to completion of these works the Municipal District will erect Children at Play signs in this estate.

4. In relation to the Ballybay-Doohamlet road and safety measures that I have previously made representations for. Can this Md please review this road again as it is extremely dangerous at present and regular accidents occur there.

Reply There is presently no funding to carry out additional safety measures on the R183 Ballybay to Doohamlet at the Ballintra junction. This location can be proposed for funding under future Low Cost Accident Schemes funded by the Department of Environment, Community and Local Government.

5. In relation to Ard Na Gaoithe, Knockatallon and also Gola crest, Scotstown. Can I please have an update on the Council's agenda to take them over? Lights are presently not working and this is a safety issue for residents.

Reply Ard Na Gaoithe, Knockatallon

The planning authority has received a request to have this development taken in charge. The development is currently undergoing a technical assessment.

The Receiver who is in control of the development has been informed of the defective lighting. The Receiver advised the Planning Authority on 09 September 2015 that it is their intention to fix the lights.

Gola Crest

An application to have Gola Crest , Scostown, Estate taken in charge was submitted to the Planning Authority in June 2010 by the developer. He was advised in early 2011 of outstanding issues. Following negotiations between the Planning Authority and representatives of the developer, a regularisation planning application was submitted in May 2013. A notification of final grant of permission was issued to the developer in February 2014. The Planning Authority subsequently met with the developer in June 2014 to seek a resolution to outstanding issues relating to water service infrastructure and landscaping. These matters remain unresolved

The Planning Authority is currently engaging with Irish Water in accordance with the Memorandum of Understanding for Taking in Charge of Residential Estates issued by Irish Water in March 2015.

**Cllr Ciara McPhillips asked**

6. Further to the site visit which took place between the elected representatives, the engineering staff and members of the community at Greenan's Cross, have we to date received any quotations as to the expected cost of removing the dip at the crossroads?

Reply The Municipal District office has reviewed this issue. It has been estimated that the cost of improving the vertical alignment of the R189 at Greenan's Cross is likely to be in excess of €250,000. There is no funding to complete these works in 2015. In the event that there is available funding, these works can be considered for inclusion in a future road works programme.

7. Will the Ballybay-Clones Municipal District consider removing the existing fence at the Older Persons Dwellings at Mulladuff, Smithboro and erecting a new fence? The MD has already re-surfaced the footpath here which is most welcome but the existing fence is both an eyesore and weak.

Reply The Municipal District office has inspected the fence and will replace any defective sections of the fence and will also undertake to paint the whole fence.



8. What progress has been made with regard to attempting to slow traffic entering Clones along the Newtownbutler road?

Reply In recent months the Municipal District office has received a significant amount of requests to install place traffic calming measures in many housing estates, villages and towns in the Municipal District. It is proposed to prepare a program of such works for the October Municipal District meeting and to seek agreement from the members on a proposed program.

**Cllr Pat Treanor asked**

9. When will the Social Houses being built at Crosmaoil, McCurtain Street, Clones, be ready for occupancy?

Reply This project is been managed by Monaghan County Councils Housing Section. It is envisaged that the 9 no. houses at Crosmaoil will be completed in the first week of December 2015.

10. Has Monaghan County Council requested the extension of the water pipe replacement programme 500 meters towards Clones, so that it includes the stretch at Teehill, where there have been many water leaks?

Reply Monaghan County Council will refer this question to Irish Water for their consideration. The frequency of water main disruptions in the Teehill area is recorded on Irish Water's Asset database and will be taken into consideration in Irish Water's water main rehabilitation / conservation investment decisions.

**6. Notices of Motion**

Cllrs. Pat Treanor and Cathy Bennett proposed the following:-

“That the Ballybay/Clones M.D. demands that all the children of the nation are cherished and treated equally. It is totally unacceptable that transport was not in place for students needing to attend special education facilities, in time for the new school term 2015. We demand that the Minister for Education and Bus Eireann issue an apology to these students and their parents for the stress and worry caused by the uncertainty. We also request that in future, transport arrangements are in place for all students at least a week before the start of the new school term. That we seek the support of Monaghan County Council for this motion.”

A discussion took place on the matter.

The members agreed that the proposal be put to a vote with the outcome as follows:-

For: - Cllrs. Bennett and Treanor

Against:- Cllr. McElvaney

Abstained:- Cllrs Bannigan and McPhillips

On the outcome of the vote, the proposal was passed.

Cllr. Ciara McPhillips proposed the following:-

“Ballybay-Clones Municipal District call on Bus Éireann to place extra staff in school transport section during June to September to deal with queries and requests for school bus rates and eligibility for school transport.”

This proposal was seconded by Cllr Hugh McElvaney and agreed by all.

**7. Chief Executive Orders**

Chief Executive Order Nos. BCMD 35/15 – BCMD 42/15 were noted by the Members.

Mr Kevin McNally advised the members that it was NC Plant Hire who was appointed project supervisor and not Sammy Wilkins for Chief Executive Order No BCMD 42/15.

**8. Votes of Congratulations/Sympathy**

The members extended a Vote of Congratulations to the following:-

Denise Toner and Clones Athletics Club on Denise winning Silver at the World Masters (800M)

Stephen McKenna and Old School Boxing Club on Stephen winning gold at the Commonwealth Youth Games.

**9. AOB**

No issues were raised under AOB.

This concluded the business of the meeting.

Signed \_\_\_\_\_

Cathaoirleach

Signed \_\_\_\_\_

Meetings Administrator

Date 19<sup>th</sup> October 2015