

COMHAIRLE BAILE MHUINEACHAIN
MONAGHAN TOWN COUNCIL

Minutes of Monthly Meeting of Monaghan Town Council held on Monday 20th December 2010 at 6.00pm in the Council Chamber of Monaghan Town Council, Town Hall, No. 1 Dublin Street, Monaghan.

Cathaoirleach: Cllr. Robbie Gallagher

Present: Cllrs. Mary Carroll, Seán Conlon, Thomas Hagan, David Maxwell, Paul McGeown, Donal Sherry and Seamus Treanor.

In Attendance: David Fallon, Acting County Manager, Gareth McMahon, Town Engineer, Marie Deighan, Town Clerk and Mary Hughes, Staff Officer.

An apology for inability to attend was received from Cllr. Pádraigín Uí Mhurchadha.

Consideration of Draft Local Area Action Plan (LAAP) for lands to North East of Dublin Street, Rooskey, Monaghan.

The Cathaoirleach, Cllr. Robbie Gallagher welcomed Adrian Hughes, Senior Planner and Toirleach Gourley, Senior Executive Planner, Monaghan County Council to the meeting who presented a Draft Local Area Action Plan for lands to the North East of Dublin Street, Rooskey, Monaghan. It was noted that the plan has been prepared in response to a development objective of the Town Development Plan 2007-2013. Toirleach Gourley, Senior Executive Planner stated that the purpose of the Local Area Action Plan is to provide a longterm framework for development over the period 2010-2020 and it is anticipated that this Local Area Action Plan will help to stimulate the organised redevelopment of the backlands of Dublin Street. It was noted that the Local Area Action Plan was prepared in consultation with the Council, landowners and members of the public. A public meeting was held on the 21st October 2009 at which there was unanimous support for the proposal to develop a comprehensive land use plan for the development of the lands to the North East of Dublin Street. David Fallon, Acting County Manager stated that the town needed regeneration from time to time and that the proposals in the plan would increase footfall in the central area of the town. The Members welcomed the Area Action Plan and on the proposal of Cllr. David Maxwell seconded by Cllr. Mary Carroll it was agreed to proceed to publish notice of the proposed Variation of the Monaghan Town Development Plan 2007 – 2013 to include the Local Area Action Plan. It was noted that a public consultation process will take place in February/March 2011 and a report on any submissions/observations received will be prepared by the Acting County Manager and brought before the Members at the April 2011 Monthly Meeting.

Adrian Hughes, in reply to a question from Cllr. Hagan stated that additional information sought on a planning application by Aldi in respect of Monaghan Business Park had not yet been received by the County Council.

Adrian Hughes and Toirleach Gourley thanked the Members for their comments and left the Council Chamber.

1. Confirmation of November Monthly Meeting held on 15/11/2010

On the proposal of Cllr. Donal Sherry seconded by Cllr. Paul McGeown it was agreed to adopt the Minutes of the November Monthly Meeting of Monaghan Town Council held on Monday 15th November 2010.

2. Matters Arising from the Minutes

Gareth McMahan, Town Engineer reported that extensive works have been carried out to a dwelling in the Killygoan area to improve the performance of the windows and that more investigative works will be carried out in the New Year. On the proposal of Cllr. Donal Sherry seconded by Cllr. David Maxwell it was agreed that this matter be placed on the agenda for the January Monthly Meeting of the Town Council.

It was noted that the Gardaí are continually monitoring the situation whereby patrons exiting the nightclub in the centre of town are now directed to the rear of the Courthouse. It was agreed to ask the Gardaí for an up-to-date report on the matter.

A discussion took place on tendering of goods and services by the Local Authority. Gareth McMahan stated that where a Local Authority has procurements with projected values exceeding EU thresholds the procurement procedures must take account of EU Procurement Directives. On the proposal of Cllr. David Maxwell seconded by Cllr. Thomas Hagan it was agreed to write to the Minister for Finance seeking a downward revision of the “financial capacity” criteria in relation to the pre-qualifying of candidates for tendering.

3. Manager’s Orders

The Members noted Manager’s Orders numbered 218/10 – 247/10.

4. Correspondence

The Members noted the following correspondence:

- Letter dated December 2010 from the Department of Social and Family Affairs regarding the Fuel Allowance.
- Letter dated 6th December 2010 from the Department of the Environment, Heritage and Local Government in relation to the post of Monaghan County Manager.
- Letter dated 13th December 2010 from An Garda Síochána, Monaghan regarding problem of cyclists on footpaths in the town.
- Acknowledgement letter dated 15th November 2010 from An Garda Síochána regarding complaints of noise disturbance at Peters Lake.
- Letter dated 30th November 2010 from the Department of the Environment, Heritage and Local Government in connection with the €200 charge on non-principle private residences.

- Correspondence from Nicola Hackett regarding the Monaghan Rose of Tralee Festival. The Town Clerk was requested to forward contact details of the Cathaoirleach to Ms. Hackett.

5. Business Submitted by An Cathaoirleach

The Cathaoirleach, Cllr. Robbie Gallagher congratulated Monaghan Training Workshop on their performance of “Christmas Fun Time 2010” at the Garage Theatre on Monday 13th December 2010.

The Cathaoirleach congratulated Monaghan VEC on the unveiling of the plans and digital images for the new Monaghan Education Campus on the site of the old army barracks at Knockaconny, Monaghan and wished them well in their project.

The Cathaoirleach informed the Members that a verbal request has been received from the Board of the Garage Theatre seeking funding of €500,000 towards the construction of a new Theatre at the former Military Barracks site at Knockaconny. Cllr. Gallagher stated that the Town Council have agreed to fund the request from the following sources:

- €200,000 from the proceeds of the sale of land at O’Neills farm to Monaghan County Council for the construction of a new Fire Station
- Provide €100,000 for each year over 3 years from the proceeds of the Non-Principle Private Residence charge.

6. Planning Applications

The Members noted Planning Applications numbered MT10/31 – MT10/34.

7. Consideration of Reports of Committees

There were no reports of committees.

8. Roads/Housing

A number of matters were noted for the attention of the Town Engineer:

- Speeding of vehicles – High Street
- Ramp at Belgium Park to be painted
- Loose manhole covers – Dublin Street
- Belgian Square – road gully
- Public Lighting out of order – Mullaghmatt
- Unlit road islands - Castleblayney Road/Seminary
- Footpath Dunnes Stores – requires attention
- No. 64 Mullaghmatt – handrail
- Tree roots lifting footpaths – Killygoan area
- Traffic calming measures required on Dublin Road for easier access for pedestrians to cross road to the Cathedral

The Members expressed disappointment with the ESB that the ESB poles/overhead wires in Dublin Street were not removed before the end of November to facilitate the erection of Christmas lights.

Cllr. Carroll highlighted dangers posed to pedestrians on the pedestrian crossing on the Glen Road. The Town Engineer stated that the matter is being dealt with by the North Monaghan Road Engineer.

Cllr. David Maxwell proposed and it was agreed that a letter be issued to Bus Eireann School Transport Service regarding the poor condition of a 53 seater bus transporting children to/from school in the Monaghan area.

9. Telecommunication Mast at Killygoan

The Members look forward to the removal of the telecommunication mast at Killygoan.

10. Mullaghmatt Remedial Works Scheme

Gareth McMahon, Town Engineer reported that the Contractor on the Mullaghmatt Remedial Works Scheme has not been working on site due to the inclement weather conditions.

11. Gateways and Hubs ERDF Grant Scheme – Works at the Diamond/Dublin Street/Old Cross Square and Provision of Recreational Facilities.

Gareth McMahon, Town Engineer informed the Members that the railing for the bandstand has been installed in the Diamond and the bicycle stand will be installed in the near future.

It was noted that snagging works are taking place at present in the Diamond/Dublin Street areas of the Town. The Members noted that an extension of time has been granted on the Contract to the 30th June 2011 to Monaghan Town Council by the Steering Committee of the Border, Midland and Western Assembly.

12. Consideration of North East Framework Action Plan on Homeless as required under Chapter 6 of the Housing (Miscellaneous) Act 2009

The Members noted the Draft North East Homelessness Action Plan 2011-2013 from Louth County Council who are designated as the responsible Authority for the preparation of the Regional Plan which provides for the Counties of Louth, Monaghan and Cavan.

13. Consideration of Adoption of Draft Litter Management Plan 2010-2012

On the proposal of Cllr. Mary Carroll seconded by Cllr. Seán Conlon it was agreed to adopt the Draft Litter Management Plan 2010-2012.

14. Correspondence from Monaghan Allotment Society on removal of hedgerow on the Clones Road

The Members noted correspondence from the Chairperson of the Monaghan Allotment Society regarding the removal of hedgerow on the Clones Road. A report dated the 18th November 2010 prepared by the Town Council's Horticulturist/Gardener was noted. It was agreed to bring this report before the Members of the JPC as the matter was initially raised at this forum.

15. Notices of Motion:-

- (a) "That Monaghan Town Council implore the Competition Authority to implement measures that will enhance competition within the bulk LPG (Liquified Petroleum Gas) market. Restrictive licensing agreements have resulted in domination of this market by Calor Gas and Flogas. The Competition Authority have acknowledged since 2005 improvements are necessary but has failed to date to protect the consumer".

Cllrs. Uí Mhurchadha, Conlon, Sherry, McGeown

On the proposal of Cllr. Seán Conlon seconded by Cllr. Donal Sherry it was agreed to adopt the above Notice of Motion and to circulate it to all Local Authorities.

- (b) "That this Council would give consideration to the implementation of "temporary parking permits" applicable to people disabled on a temporary basis such as those on crutches and draw up the necessary criteria, i.e. doctors signature on application form".

Cllrs. Uí Mhurchadha, Conlon, Sherry, McGeown

It was noted that the Town Council is not the Authority who issue permits to disabled drivers. The Members expressed confidence that the Town Council staff would take a sympathetic attitude to genuine cases.

16. Ceisteanna/Questions

Cllrs. Uí Mhurchadha, Conlon, Sherry and McGeown asked:-

- (a) By accessing funds through the Developers Security Bond, will faulty street lighting be repaired at the Woodlands Estate?
The housing development is the subject of ongoing enforcement proceedings and negotiation in respect of a number of non compliance matters. One of the matters remaining outstanding relates to the non-payment of the security bond. The Planning Authority is unaware of any lighting problems relating to this development.
- (b) Can signage be erected highlighting presence of new speed cushions near IJM, Latlurcan?
We will have these signs erected in the coming weeks.

- (c) For the purpose of clarification, is it Monaghan Town or County Council that have responsibility for salting/winter road maintenance in the Monaghan town extended urban areas such as Milltown, Ballyalbany, Cathedral Walk?
Outside of the town boundary is Monaghan County Council's responsibility, however Monaghan Town Council staff may also salt some of these areas from time to time.
- (d) Throughout the country the Irish Army have played a supportive role to communities overwhelmed by the difficulties associated with their recent severe weather conditions. Has a line of communication been established between this Local Authority and the nearest Battalion in the event of seeking support and assistance?
The normal line of communication for the request of the Army by Monaghan County Council in cases of emergency is through the Gardaí. The Gardaí were represented at all our crisis Management Meetings and if the Army were requested we would use that line of communication. A request for their assistance was not made.
- (e) Have the company responsible for the illegal erection of the mobile phone mast at Tullygrimes responded to the notice served by the Council Planning Authority? Have they been made aware that new mobile phone masts are forbidden in the vicinity of schools?
It is understood that this query relates to the unauthorised telecommunications mast at Tullyherim. The mast has not been removed despite Monaghan County Council issuing warning and enforcement notices to the operator. This unauthorised development has been forwarded to the County Councils solicitor who is pursuing the matter through Court action. The mast is unauthorised and its proximity to any school is immaterial in respect of the proceedings currently being pursued by the County Council.
- (f) Has any further consideration been given by the Council outdoor staff to locate salt storage bins in specific areas of the town?
Due to the limited supply of salt at the moment it will not be possible to place salt out in the community in bins. However grit is available to the public. A stockpile of grit for public use has been located at Monaghan Harps Football Pitch. More grit will be stockpiled in areas of the town as it becomes available.
- (g) Has any progress been made regarding raising the rain gullies both at the entrance to and on the roadway in Belgian Square as highlighted at the last Town Council Meeting?
A contractor has been requested to carry out this work and it is hoped these gullies will be raised in the coming weeks.
- (h) Can the newly installed ramp at the junction of the Gaol Hill/Plantation (Rope Walk) be remedied to match the ramp on the other side as numerous cars have been damaged by the severity of the dip?
The Contractor who installed the ramp will be asked to remedy this problem

- (i) Can the Council look at the possibility of installing a permanent feature to prevent lorries parking in the parking bays at New Terrace, Belgian Square; can the kerbing at this location be repaired as it is badly broken due to heavy goods vehicles mounting it to park?

This area will be addressed in the New Year.

17. Resolutions from Other Local Authorities

- (a) “This Council calls on the Oireachtas to introduce regulations on the “Cash for Gold” business. This transaction enterprise is prolific throughout Ireland and is not regulated which leaves the business open to be used as a legal way of disposing of stolen goods. The lack of regulation on Cash for Gold shops could possibly lead to an increase in theft of jewellery from persons and homes”.

Dublin City Council

The Members agreed to support the above Resolution.

- (b) “That Carrick on Suir Town Council would request a review of the powers of HIQA (Health Information and Quality Authority) in the ability of its inspectorate team to decide the appropriate/inappropriate care needs of people requiring care in nursing homes and other residential settings and the fact that there is no place in current nursing home legislation to the right of redress by care providers following publication of their findings”.

Carrick on Suir Town Council

The above Resolution was not supported by the Members.

- (c) “Clonmel Borough Council call on the Minister for Environment, Heritage and Local Government, the Minister for Enterprise, Trade and Innovation and the Minister for Finance to provide funding to Local Authorities to allow them to administer a waiver scheme for commercial rate payers genuinely struggling to make rates payments. That this motion be circulated to all other Local Authorities requesting their support for the motion”.

Clonmel Borough Council

The above Resolution was not supported by the Members.

- (d) “That this Town Council calls on the Government to recognise the unique and vital role of the postal service in Ireland, particularly rural Ireland, as a means of communication, as a vital economic tool and as an intrinsic part of the fabric of the community. Our postal service has a social value and an economic value, these must be properly protected as the Government drafts legislation to open the postal market to full competition. Postmen and women provide an important public service and also function as an integral part of the social fabric of their community, particularly for the elderly and the isolated citizen whose only human contact might be their post person. Furthermore, An Post’s extensive delivery and collection network, is an intrinsic part of the economic and business infrastructure of the country.

Reaching every corner of the country and by delivering to every front door, An Post is an essential partner in business from a marketing payment collection and business generation point of view. As Ireland prepares to liberalise its postal market, it is essential that the Government acknowledges this important public service, ensure that the Universal Service Obligation is protected by legislation and does not allow the opening of the market to lead to widespread job losses, social dumping and an erosion in service levels as has happened in other countries who have already opened their postal market to competition”.

Nenagh Town Council
Edenderry Town Council

The Members supported the above Resolution.

- (e) The Members noted copy of Resolution received from North Tipperary County Council calling for an amalgamation of the 4 Joint Policing Committees in North Tipperary in order to avoid duplication and to efficiently use scarce resources. The Resolution called for a relaxation of the guidelines in relation to JPC's.

On the proposal of Cllr. Mary Carroll seconded by Cllr. Seán Conlon it was agreed not to support the above Resolution.

18. Any Other Business

It was noted that the renovation of Coolshannagh Graveyard has been shortlisted for the LAMA Awards. On the proposal of Cllr. David Maxwell seconded by Cllr. Mary Carroll it was agreed that the Cathaoirleach and the Town Clerk attend the function in the Crowne Plaza Hotel, Dublin on Saturday 22nd January 2011.

Correspondence was circulated to the meeting by Cllr. Seán Conlon from Caoimhghín Ó Caoláin, T.D. regarding a series of meetings which Deputy Ó Caoláin had in recent months with the Clarke group regarding the Mixed Use Development at Rooskey. The correspondence stated that P. Clarke & Sons will, over the coming months fill in and restore the car park area providing 228 car parking spaces. It was agreed to discuss this matter in more detail and to place this matter on the agenda for the January Monthly Meeting of the Town Council.

Cllr. Mary Carroll called on the members of the public to refrain from skating on Peters Lake during the current weather conditions.

It was noted that there would be no free car parking in the town in the run-up to Christmas. It was stated that a meeting had been held with the Monaghan Chamber of Commerce who were made aware of the decision during discussions which took place as part of the preparation of the 2011 Budget. The Town Council have agreed to provide support to the Chamber for a number of promotional ventures that will take place in the town in 2011 in order to stimulate trade and business in the town.

The Town Engineer informed the Members that the Traffic Wardens finish their duties at 6.00p.m. but have been working extended hours to try to control traffic chaos in the town when there is late evening trading. Gareth McMahon stressed that no enforcement of pay parking regulations are taking place after 6.00p.m.

The Cathaoirleach extended best wishes to the people of Monaghan for a happy, prosperous and safe Christmas. Cllr. Gallagher stated that it had been a tough year for everyone with trying economic conditions but encouraged people not to be too pessimistic, pointing out that there are many reasons why Monaghan could look to the future with hope and confidence. David Fallon, Acting County Manager thanked the Town Council staff for their work through the year and wished Declan Nelson, recently retired County Manager all the best. Mr. Fallon stated that Declan Nelson had set a good standard and all staff are working to maintain that.

19. Conferences:-

The Members were circulated with reports complying with Section 142(5)(f) of the Local Government Act 2001 in relation to the following Conferences:-
AMAI Conference, Buncrana – attended by Cllr. Thomas Hagan
AMAI Conference, Buncrana – attended by Cllr. Robbie Gallagher
Ballyhoura Development Limited, Cork – attended by Cllr. Seán Conlon.

20. Sympathy/Congratulations

A vote of congratulations was extended to the following:

- Christopher McMahon, Beechill College on obtaining 1st place in Ireland in the Higher Level Junior Certificate Technical Graphics Examination 2010.
- Pauric McCabe, Beechill College who came in the top ten in Ireland in the Junior Certificate Metalwork Examination 2010.
- County Monaghan ICA who celebrated the centenary of the ICA this year and published a book “Friendship and Fellowship - The Monaghan Story” to mark the event.
- His Excellency Leonel Searle, new Chilean Ambassador to Ireland. It was agreed to invite the new Ambassador to the St. Patricks Day Parade in Monaghan Town.
- David Drum and the Monaghan Gospel Choir on their appearance on the RTE Nationwide Programme.
- Staff of Northern Sound Radio Station on the work they did in updating the public on school closures/openings during the severe weather conditions.

A vote of sympathy was extended to Noel Hennessy, Clones Road on the death of his wife Rosaleen.

This Concluded the Business of the Meeting.
Dated this the 17th day of January 2011

Cathaoirleach