

Comhairle Baile Mhuineacháin

Monaghan Town Council

Minutes of Monthly Meeting of Monaghan Town Council held on Monday 21st March 2011 at 5.00pm in the Council Chamber of Monaghan Town Council, Town Hall, 1 Dublin Street, Monaghan.

Cathaoirleach: Cllr. Robbie Gallagher

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

In Attendance: David Fallon, A/County Manager, Gareth McMahon, Town Engineer, Marie Deighan, Town Clerk and Miriam McMahon, Assistant Staff Officer.

Attendance of Superintendent Michael Clancy, Monaghan Garda Station.

The Members welcomed Superintendent Michael Clancy, Monaghan Garda Station to the Meeting.

Late night discos – Town Centre – Crowd control/Public safety matters

At the outset, Superintendent Michael Clancy gave an overview of the situation in Monaghan town at the weekends following a disco in the centre of the town and the measures undertaken by the Gardaí to police the area. The Members noted that the venue has the capacity to hold up to 3000 people and that the owners operate a late night disco on the basis of a Special Exemption Order obtained from the District Court. A teenage disco also takes place on a Friday night from 8p.m. – 11p.m. Superintendent Clancy stated that the venue is situated close to residential accommodation and Peters Lake. Superintendent Clancy also informed the Members that the Gardaí have encouraged the operators of taxis/buses to drop off and pick up patrons in the Courthouse Car Park. It was noted from the Superintendent that the Gardaí do not have the power to tell patrons to move or direct them to a certain location unless they are in breach of the Public Order Act.

The Members expressed concern for the safety of people leaving the late night disco and entering Glaslough Street Car Park as the lake poses a danger to people who may be under the influence of alcohol. Cllr. McGeown referred to a gate on the entrance to the nightclub which had been locked for over an hour one night and which prevented those people exiting the nightclub to make their way up into the Diamond area. Superintendent Clancy replied by stating that it is not Garda policy to close this right of way into the Diamond area and have issued instructions that it be kept open. It was noted that the Council's Solicitor has been asked for his comments in relation to the closing of this gate on the right of way and a report will be brought before the Members as soon as it is received. Superintendent Clancy stated that for Monaghan Town Council to assist the Gardaí in the policing of the town that the Town Council could consider implementing powers under planning or passing bye-laws for the design and licensing of various late night outlets in the town.

Relocation of Casual Trading Area

It was noted that the Casual Trader located in the Casual Trading area at the rear of the Courthouse is experiencing trading difficulties for a number of reasons. The Cathaoirleach, Cllr. Robbie Gallagher stated that the Town Council took the decision at the time to locate the Casual Trading bays at the rear of the Courthouse on the understanding that the crowds exiting the late night entertainment function in the town centre would be directed towards the rear of the Courthouse where the Casual Trader is located.

Gareth McMahon, Town Engineer informed the Members that he has spoken to the Casual Trader who has stated that he would like the opportunity of trading anywhere in the Town Centre. Gareth McMahon stated that he has examined 2 no. loading bays (Dublin Street/North Road) which may be suitable but that the Council will have to go through the formal procedure and public consultation as before, in order to designate a loading bay as a casual trading bay. David Fallon, Acting, County Manager stated that the Town Council will have to give serious consideration to the views of the Gardaí on the matter. Superintendent Clancy stated that the Gardaí are delighted to be part of the public consultation process and that they will be considering the proposals from the point of view of traffic flow and crime. Superintendent Clancy also stated that the health, safety and welfare of his staff and access for emergency services would also be important considerations for the Gardaí. It was agreed to carry out a review of the Casual Trading fees currently in place.

Superintendent Michael Clancy was requested to ensure that action be taken against those who abuse the disabled parking bays in the town particularly at weekends and when the Traffic Wardens are off duty.

The Cathaoirleach thanked Superintendent Clancy for attending the meeting and for his input into the various concerns of the Members. The Superintendent left the Council Chamber.

14. **Consideration of Acting County Manager's Report dated 15th March 2011 regarding proposed Variation (No. 17) to the Monaghan County Development Plan 2007-2013 (incorporating the Development Plan for Monaghan Town) to incorporate the Local Area Action Plan (LAAP) for the lands to the North East of Dublin Street, Roosky, Monaghan**

The Members welcomed Toirleach Gourley, Senior Executive Officer, Monaghan County Council to the meeting. The Members noted the Acting County Manager's report dated the 15th March 2011 together with an amended Local Area Action Plan for the lands to the North East of Dublin Street, Roosky, Monaghan taking into account the submissions/observations received. Toirleach Gourley set out the main points for consideration by the Members and hoped that the Local Area Action Plan would be incorporated in the next Development Plan 2013-2019. The Members noted an objection from a local resident who stated that the plan failed to take account of the development potential of his property. Toirleach Gourley explained that the submission was taken into account in the Acting County Manager's report. Following discussion and on the proposal of Cllr. Thomas Hagan seconded by Cllr. Seamus Treanor it was agreed to adopt, as presented the Variation (No. 17) to the Monaghan County Development Plan 2007-2013 (incorporating the Development Plan for Monaghan Town) to incorporate the Local Area Action Plan (LAAP) for the lands to the North East of Dublin Street, Roosky, Monaghan.

Cllr. Seamus Treanor expressed criticism regarding the finished works to the windows and door of the Monaghan Courthouse in Church Square. It was agreed that the steel sheeting applied to the windows and door take away from the building which is a Protected Structure. Toirleach Gourley stated that Monaghan County Council have been monitoring the situation and stated that as the Courthouse is a State building no planning permission is required. Toirleach Gourley added that in this case therefore, the State consults with the Public Bodies and takes their views on board, however it was noted that the plans put forward at the time are different from what is being constructed at present. Toirleach Gourley stated that the Council may not have powers of enforcement in this matter.

It was agreed to seek the views of Shirley Clerkin, Heritage Officer, Monaghan County Council. It was also agreed to write to the Office of Public Works expressing the Councils disappointment at the works that have been carried out to the front of the building.

The Members welcomed the removal of the Telecommunication Mast at Tullyherim.

The Members welcomed the granting of planning permission by Monaghan County Council for the Multi-Purpose Education Campus at Knockaconny.

Cllr. Paul McGeown enquired from Toirleach Gourley if planning permission is required for the replacement of the ESB poles at Belgian Square. Toirleach Gourley stated that this work may be exempt from planning but that he would check the legislation on the matter.

Toirleach Gourley left the Council Chamber.

1. Confirmation of February Monthly Meeting held on 21st February 2011.

On the proposal of Cllr Seamus Treanor seconded by Cllr Pádraigín Uí Mhurchadha it was agreed to adopt the Minutes of the February Monthly Meeting of Monaghan Town Council held on Monday 21st February 2011.

2. Matters arising from the Minutes

The Town Clerk was requested to forward Notice of Motion (a) adopted at the February Monthly Meeting of the Town Council to the Minister for Foreign Affairs and Trade for his attention.

Cllr. Pádraigín Uí Mhurchadha expressed disappointment that no member of the public had attended the Consultation Meeting held in the Market House, Monaghan on the 15th March 2011 regarding the County Development Plan 2013-2019 (incorporating the Development Plan for Monaghan Town).

3. Manager's Orders

The Members noted Manager's Orders numbered 22/11 – 44/11.

4. Correspondence

The Members noted the following correspondence:-

- Letter dated 8th March 2011 from Bus Eireann in relation to concerns expressed by the Members of the Council about the condition of a School Bus operating in Monaghan town.
- E-mail dated 28th February 2011 from Ray Aherne, ESB regarding a networks replacement contract of replacing ESB poles in Belgian Square.
- Letter dated 3rd March 2011 from the Office of the Minister for Enterprise, Trade and Innovation concerning competition within the bulk LPG (Liquefied Petroleum Gas) market.
- Letter dated 21st February 2011 from His Excellency, Leonel Searle, Ambassador of Chile to Ireland thanking the Members for the invitation to attend the St. Patricks Day Parade in Monaghan on the 17th March 2011 and his acceptance of same. It was agreed to send a letter of thanks to the Chilean Ambassador and his family for their presence on the day.

- Letter dated 8th March 2011 from the County Monaghan Motor Club Ltd applying for permission to use Glaslough Street Car Park for mechanical services on Sunday 17th April 2011 for their annual Stages Rally. The Members agreed to the request and thanked the Motor Club Members for helping out as stewards at the St. Patricks Day Parade in the town.
- Letter dated 1st March 2011 from Ann Devine, 48 Dublin Street, Monaghan expressing concerns about the activity of Skateboarders in the new Diamond Plaza and derelict buildings in Dublin Street. The Members asked that a problem referred to in Ms. Devine's letter regarding a loose manhole cover in the centre of Dublin Street be attended to. Following a discussion on derelict sites the Members appealed to all property owners in the town to keep their buildings in good repair/painted. David Fallon, Acting County Manager undertook to check the legislation on Derelict Sites.
- Details on income from Pay Parking for the month of December 2010.
- Letter of acknowledgement dated 24th February 2011 from the Department of Transport regarding the length of service a bus can provide.
- Letter dated 25th February 2011 from the Office of the Minister for the Environment, Heritage and Local Government regarding the Mullaghmatt Remedial Works Scheme.
- Letter of acknowledgement dated 7th March 2011 from An Garda Siochana regarding concerns expressed by the Members in relation to Anti-Social Behaviour at the Canal Park and disabled parking bays being used by able-bodied people.
- Letter dated 15th March 2010 from Shirley Clerkin, Heritage Officer with Monaghan County Council regarding ESB poles in Belgian Square, Monaghan. It was agreed to obtain a quotation from the ESB for the undergrounding of ESB cables in this area.

5. Planning Applications

The Members noted Planning Applications numbered M.T. 11/1 – 11/2.

6. Business submitted by An Cathaoirleach

The Cathaoirleach, Cllr. Robbie Gallagher informed the Members that as part of Anti-Racism Week Monaghan County Council are holding events to bring together everyone in the multicultural community of Monaghan to come along and share an evening of music, food and dance in the Westenra Hotel, Monaghan on Tuesday 22nd March 2011 from 7.00p.m – 9.00p.m. The Cathaoirleach encouraged the Members to attend.

Cllr. Robbie Gallagher praised all those who organised and worked to make the St. Patricks Day Parade in Monaghan a great success. Cllr. Gallagher paid special tribute to Julie and Louise Brannigan and Joe Corr for the work they had devoted to this years event and also thanked His Excellency Leonel Searle, Ambassador of Chile to Ireland and the Canadian Visitors who came to Monaghan for the Parade. The Members of the Council and the Acting County Manager concurred with the Cathaoirleach's sentiments. It was noted that criticism had been expressed regarding the large number of lorries participating in the event and the blaring of horns by lorries taking part.

7. Consideration of Reports of Committees

The Cathaoirleach, Cllr. Robbie Gallagher informed the Members that a Budget Sub-Committee Meeting of the Town Council took place earlier in the evening and that the recommendations of the Committee regarding the Community Grants will come before the Members at the April Monthly Meeting of the Town Council.

Cllr. Robbie Gallagher also referred to a letter of request from Charlie McGuinness, Féile Oriel Festival Committee for funding to cover any shortfall which may arise and which the Peace 111 Programme may not be able to fund. It was noted that the festival is taking place on the May Bank Holiday weekend from the 29th April – 1st May. Cllr. Gallagher stated that the Budget-Sub Committee considered the correspondence and recommended that there is no need at present to address the matter and that the application will be considered again following the Festival and when more accurate figures are available from the Committee.

Cllr. Pádraigín Uí Mhurchadha informed the Members that she attended a Meeting of the Social, Cultural and Voluntary Strategic Policy Committee of Monaghan County Council and received reports from the Sports Partnership Co-ordinator and a representative from the County Museum. Cllr. Uí Mhurchadha encouraged support to all of these groups and commended them on the work which they carry out.

8. Roads/Housing

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

Unlit bollards on Emyvale Road (St. Macartans College)

Summer seats required at playground at Killygoan

New footpath installed at Killyvane – could new public lighting be erected at this location also?

No. 1 Ard Glas – door warped

Directional signs required for County Hospital

Killyconnigan/Mullaghmatt footpaths in need of repair

Coolshannagh Walk – handrail required on steps.

Footpath damaged – Park Street.

Public lighting – Ballyalbany

Wall damaged – Killyconnigan area

Killygoan – litter on back lanes/potholes in the same areas

Plantation – dip in road

Public Lighting blackspots – Mullaghmatt

Paint edge of footpaths – Courthouse Car Park

Gareth McMahon, Town Engineer undertook to try and get a resolution to a problem which took place over the Christmas period regarding a water burst which occurred in a vacant Town Council dwelling and damaged an adjoining private dwelling. Mr. McMahon stated that as the estimated cost of the repair works were excessive the matter has been referred to the Town Council's Solicitor and Insurance Company.

Cllr Donal Sherry referred to anti-social behaviour taking place in Housing Estates.

9. Telecommunication Mast at Killygoan.

The Members look forward to the removal of the Telecommunication Mast at Killygoan.

10. Mullaghmatt Remedial Works Scheme.

Gareth Mc Mahon, Town Engineer stated that the works on Phase 2 of the Mullaghmatt Remedial Scheme is continuing to take place and that the estimated completion date for this Phase is June 2011. The Town Engineer added that no confirmation has yet been received from the Department for Phase 3 of the scheme. On the proposal of Cllr. Seán Conlon seconded by Cllr Pádraigín Uí Mhurchadha it was agreed to write to the Minister for Housing seeking a meeting with him and a representative from the Department of Finance regarding funding for Phase 3 of the Remedial Works Scheme. On the proposal of Cllr. Thomas Hagan seconded by Cllr. Mary Carroll it was agreed to write to the local T.D.'s requesting them to ask the Minister for Finance to ensure that monies are available for Phase 3 of the works.

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

Gareth McMahan, Town Engineer stated that the kids recreational facilities will be installed at Oriel Playpark, Mullaghmatt and in Cluain Lorcáin housing estate. It was noted that the Oral Hearing for the CPO process for Old Cross Square is taking place on Friday 25th March 2011. It was agreed that if any person wishes to use the bandstand in the Diamond that they would make application to do so to the Town Council Offices.

12. Progress on Windows/Doors – Killygoan area.

Gareth McMahan, Town Engineer informed the Members that work to the windows/doors in Killygoan is progressing.

13. Consideration of approval of newspapers for use in accordance with Local Government Planning and Development Regulations 2001.

On the proposal of Cllr. David Maxwell seconded by Cllr. Mary Carroll it was agreed to approve of the following list of newspapers for use in accordance with the Local Government Planning and Development Regulations 2001:-

National Newspapers:-

Irish Independent, Irish Star, Irish Times and Evening Herald

Local/Regional Newspapers:-

Northern Standard and Anglo Celt

15. Consideration of Schedule of Uncollected Rates as at the 31st December 2010 as per Article 40(a) of the Local Government (Financial Procedure and Audit) Regulations 2002.

The Members noted the following details of the Schedule of Uncollected Rates as at the 31st December 2010:-

Rate Warrant for 2010	€3,802,833
Paid in 2010	2,454,932
Arrears at 31 st December 2010	€1,347,901

Analysis of Uncollected Rates at 31st December 2010

Write-Offs

Businesses closed all year or part of year	€ 516,092
Businesses closed due to renovation	670
Businesses (non-profitable, e.g. Citizens Information Centre)	50,129

Carried forward

Rate Accounts with Solicitor	143,196
Uncollected Rates at 31/12/2010	645,850
Credits at 31 st December 2010	8,036

*€73,745 was paid in January 2011 in respect of 2010.

The Members recognised that businesses are experiencing trading difficulties in the current economic climate and are finding it difficult to survive with the amount of rates they are liable for. On the proposal of the Cathaoirleach, Cllr. Robbie Gallagher seconded by Cllr. Mary Carroll it was agreed to write to Michael Noonan, T.D., Minister for Finance to request a general review of Local Government Funding.

16. Consideration of adoption of 2011 Fixed-Term Tenant Purchase Scheme for Long-Standing Tenants

The Members noted the following documents:-

- Copy of the 2011 Tenant Purchase Scheme for Long-Standing Tenants for the sale of houses under Section 90 of the Housing Act 1966 and in compliance with the Housing (Sale of Houses to Long-Standing Tenants) Regulations 2011
- Copy of 2011 Fixed-Term Tenant Purchase Scheme – outline of General Terms and Guidance Notes for Local Authorities.

The Members welcomed this scheme and on the proposal of Cllr. Seán Conlon seconded by Cllr. David Maxwell it was agreed to adopt the Scheme as presented.

17. Notices of Motion:-

(a) “Iarrann an Chomhairle seo ar an Rialtas nua-tofa agus go h-áirithe ar a Thaoiseach cinntiú go gcaomhnófar céad teanga oifigiúil na tíre seo agus go gcinnteoidh siad starraiceacht s’aici sa chóras oideachais.”

“That this Council calls on the newly elected Government and particularly it’s Taoiseach to ensure the preservation of our first official language and promote its prominence in the education system.”

Cllrs. Conlon, Uí Mhurchadha, Sherry, McGeown

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

(b) “Iarrann an Chomairle seo ar an Rialtas nua-tofa na seirbhísí géara agus leighis a chur ar ais i nOispideal Mhuineachain.”

“That this Council calls on the newly elected Government to restore all acute and medical services at Monaghan General Hospital.”

Cllrs. Conlon, Uí Mhurchadha, Sherry, McGeown

On the proposal of Cllr. Donal Sherry seconded by Cllr. Paul McGeown it was agreed to adopt the above Notice of Motion. On the proposal of Cllr. Seán Conlon seconded by Cllr. Robbie Gallagher it was also agreed to seek a meeting with James Reilly, T.D., Minister for Health to discuss the Hospital issue.

18. Ceisteanna/Questions

Cllrs. Robbie Gallagher asked:-

(a) Monaghan Town has recently been allocated €50,000 under the National Disability Funding 2010 for upgrading and development of streetscapes and pavements in Monaghan town to improve access to services and parking for people with a disability. When is it intended to have these works completed?

A consultation meeting was held with representative of the disabled community last week. Its also intended to carry out an audit of disabled bays and facilities around the town. A plan of works shall be drawn up arising from these enquiries. Its envisaged that these works will be carried out in the coming months.

(b) How many people are currently on the Council Housing List and what is the make-up of the list?

There are currently 281 on the housing list which is made up as follows:-

Family – 77

Small Family – 82

Single Under 55's – 106

OPD's - 16

A further 26 applicants have been placed on the list who require supported housing (Dartry and Farney Unit, St. Davnet's Complex).

In addition 57 reports are outstanding and currently with the Environmental Health Officer.

Cllr. Seán Conlon expressed alarm at the number of people currently waiting for housing and referred to the HSE's decision to close accommodation at St. Davnet's Hospital. Cllr. Conlon enquired if the Town Council have had any liaison with the HSE regarding the 26 applicants who have been placed on the housing list who require supported housing. David Fallon, A/County Manager undertook to have a report on the matter for the April Monthly Meeting of Monaghan Town Council.

19. Conferences:-

(a) Listowel Conference 2011 – “Developing the Social Economy to Stimulate Economic Growth” – Listowel Arms Hotel – 24th – 25th March 2011 – (approx. cost €690)

(b) Celtic Conferences – “How to be an effective Chairperson” – Celtic Ross Hotel, Rosscarbery, Co. Cork – 1st – 3rd April 2011 - (approx. cost €900)

© Rattoo Heritage Society 20th Annual Kerry Environmental Conference and Training Seminar – Meadowlands Hotel, Tralee – 7th – 10th April 2011 - (approx. cost €330)

(d) TGR Seminars – “How to master your time” – Best Western Sligo Southern Hotel, Sligo – 15th – 17th April 2011 - (approx. cost €440)

(e) Celtic Conferences – “The Future of Local Politics” – Celtic Ross Hotel, Rosscarbery, Co. Cork – 15th – 17th April 2011 - (approx. cost €300)

(f) Local Authority Members Association (LAMA) Spring Seminar – “Economic Revival: A Role for Local Government” – Fairways Hotel, Dundalk – 29th – 30th April 2011 - (approx. cost €400)

On the proposal of Cllr. David Maxwell seconded by Cllr. Robbie Gallagher it was agreed that Cllr. Pádraigín Uí Mhurchadha attend Conference (f)

20. Any Other Business

Cllr. Seamus Treanor thanked the Members for the support and good wishes extended to him on his General Election campaign. Cllr. Treanor welcomed the fact that an investigation is going to be carried out into the amount of children’s allowance money which is leaving this country to benefit children in other countries.

Cllr. Donal Sherry referred to plans by the GAA to develop Casement Park, Belfast and hoped that it would not have implications for the future staging of major games at St. Tiernach’s Park in Clones.

21. Sympathy/Congratulations

A vote of sympathy was extended to:

Paddy & Dymrna Treanor, St. Macartans Terrace, Monaghan on the death of Hugo Loughran The Ambassador of Japan to Ireland on the loss of life suffered following the recent earthquake/tsunami in Japan.

A vote of congratulations was extended to:-

Coláiste Oiriail on their concert performance in the Westenra Hotel during Seachtain na nGaeilge.

The Committee of Coiste Gaeilge on their Seachtain na nGaeilge events.

Monaghan County Ladies Football Team who are unbeaten in the National League todate

Combi Lift on the creation of additional jobs at their Clontibret plant.

Staff Members, Sinead and David Tracey on the birth of their baby daughter.

This concluded the business of the meeting

Dated this the 18th day of April 2011.

Cathaoirleach