

Comhairle Baile Mhuineacháin
Monaghan Town Council

Minutes of Monthly Meeting of Monaghan Town Council held on Monday 15th November 2010 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, Deputy County Manager, Gareth Mc Mahon, Town Engineer, Marie Deighan, Town Clerk and Janice Eardley, Clerical Officer.

At the outset the Cathaoirleach formally welcomed David Fallon, Deputy County Manager to his first Meeting of the Town Council and congratulated him on his appointment and wished him every success in the future. Mr. Fallon thanked the Members of the Council and stated that he is looking forward to working with Monaghan Town Council. The Members joined with the Cathaoirleach in his good wishes.

To consider the revised Taking-in-Charge procedures Document for Private Housing Developments.

To consider an increase in the level of security bond for the satisfactory completion of Housing Developments (i.e. 2 or more residential units) from €2,000 to €3,500 per unit

The Cathaoirleach Cllr. Robbie Gallagher welcomed Adrian Hughes, Senior Planner and Toirleach Gourley, Senior Executive Planner, Monaghan County Council to the meeting. The Members of the Town Council noted the following documents:-

1. Taking-in-charge procedures for private housing developments dated October 2010.
2. Summary of changes to Taking-in-Charge procedures for private housing developments dated October 2010
3. Revision of Security Bonds for housing developments.

Adrian Hughes, Senior Planner explained that the revised documents up-date the 2001 Taking-in-Charge document in respect of DEHLG Circular on Taking-in-Charge issued in February 2008 and also takes account of the new Planning and Development Act 2010. Mr Hughes stated that the documents:-

- provide clarity as to what is required of a developer/owner of houses in order to have a development taken in charge
- clearly sets out the timescales for Taking-in-Charge
- provides clarity in relation to Taking-in-Charge of older estates
- reflects the 2010 Act which replaces majority of electors in the development with majority of owners in the development
- stresses the requirements in respect of security bonds and
- details the terms of release and sets out quality control systems during construction and the professional indemnity requirement of those certifying the developments.

The Members welcomed the fact that Monaghan does not have a substantial problem with unfinished housing developments.

Cllr. Donal Sherry enquired if the Council could hold developers to task regarding poor workmanship on windows and doors in the Killygoan area. The Town Engineer outlined the work that has been undertaken by the Council in the last number of months to remedy the problems which tenants are experiencing regarding draughts from windows/doors. Gareth McMahon stated that he is exploring options with a local tradesman to improve the performance of the windows and he would come back to the Members of the Council on the matter.

In relation to the document on the revision of security bonds for Housing Developments it was noted that the current security bonds placed on planning permissions to ensure the satisfactory completion of Housing Developments is a minimum of €2,000 per residential unit and it is considered that this amount is an inadequate security bond both in terms of incentivising the Developer to complete the development to a satisfactory standard and also in recompensing the Local Authority for works carried out where it takes an unfinished housing development in charge. Therefore it is recommended that the security bond in all of the Monaghan Local Authorities be revised upwards to the County Council level of €3,500 per residential unit.

On the proposal of Cllr David Maxwell seconded by Cllr Seamus Treanor it was agreed to adopt the Taking-in-Charge document.

On the proposal of Cllr David Maxwell seconded by Cllr Seán Conlon it was agreed to adopt the revised Security Bond for housing developments from €2,000 to €3,500.

Cllr Seán Conlon enquired from Adrian Hughes, Senior Planner the up-to-date position regarding the Vodaphone mast at Tullyherim. Cllr Conlon was informed that an enforcement notice under Section 154 of the Planning and Development Act 2000 was served on Vodaphone Ireland Ltd on the 5th November 2010 which requires the removal of the mast and associated structures within two weeks from the date of the notice. Cllr Conlon was informed that if the notice is not complied with the Council will be pursuing the matter through court action.

Cllr. Thomas Hagan appealed to the Planning Officers for favourable consideration to be given to a proposed development on the outskirts of Monaghan town. Adrian Hughes stated that additional information has been sought on the said planning application and when it is received a decision will be made on the application within 4 weeks.

Adrian Hughes and Toirleach Gourley left the Council Chamber.

1. **Confirmation of October Monthly Meeting held on 18th October 2010.**

On the proposal of Cllr David Maxwell seconded by Cllr Thomas Hagan is was agreed to adopt the Minutes of the October Monthly Meeting of Monaghan Town Council held on Monday 18th October 2010.

2. **Confirmation of Special Meeting held on 18th October 2010**

On the proposal of Cllr David Maxwell seconded by Cllr Mary Carroll it was agreed to adopt the Minutes of the Special Meeting held on 18th October 2010 to mark the retirement of Declan Nelson, County Manager.

3. **Matters arising from the Minutes**

The Members welcomed the traffic calming measures installed on the old Armagh Road.

Gareth Mc Mahon, Town Engineer stated that he received a delegation from Monaghan Town Football Club in relation to examining suitable locations for a football pitch for the Club. The Town Engineer stated that areas discussed were O' Neill's Farm, Elliotts Land and Killygoan. Gareth McMahon suggested that the matter be referred to the Planning Sub-Committee of the Town Council. This was agreed to.

Cllr. Pádraigín Uí Mhurchadha called again for a reminder letter to be issued to An Post renewing the call for the restoration of a Post Box in the Dunnes Stores area of the town.

4 **Manager's Orders**

The Members noted Manager's Orders numbered 197/10 – 217/10. It was noted that Signatec Ltd, Kilkenny have been awarded the contract for the erection of Wayfinding signage for Monaghan town. The Members welcomed the awarding of the contract as it will benefit those with disabilities but expressed disappointment that the Contract was not awarded to a local firm. The Town Engineer emphasised that Local Authorities are bound by strict procurement rules in the awarding of tenders. David Fallon, Deputy County Manager assured the Members that every contractor who signs a contract has to comply with the same regulations.

5. **Correspondence**

The Members noted the following correspondence:-

- Acknowledgement dated 4th November 2010 from the Office of the Taoiseach, Government Buildings, Dublin regarding Notice of Motion adopted by Members at the October Monthly Meeting.
- Acknowledgement dated 5th November 2010 from An Garda Síochána regarding the speeding of traffic in the Monaghan town area.
- Letter dated 30th October 2010 from the Chairperson of Monaghan Allotment Society. It was agreed to refer this correspondence to the Planning Sub-Committee of Monaghan Town Council.
- Circular Fin 09/2010 from the Department of Environment, Heritage and Local Government setting out the prescribed periods that apply for the holding of 2011 Budget meetings.
- Letter dated 3rd November 2010 from Monaghan Neighbourhood Youth Project thanking the Members for their contribution of €6,000 towards their Halloween activities. The Members praised the NYP on the success of the activities over the Halloween period.
- Acknowledgement dated 12th October 2010 from the Department of the Environment, Heritage and Local Government regarding a Notice of Motion on the future of Town Councils.
- Letter dated 21st October 2010 from the Mullaghmatt Cortolvin Community Development Ltd regarding the development of a Community Garden in Mullaghmatt. The Members fully supported this correspondence.
- Submission from the Mayor and Members of Letterkenny Town Council with regard to the report of the Local Government Review Group. Cllr Pádraigín Uí Mhurchadha congratulated the Local Authority on the comprehensive submission.
- Acknowledgement dated 9th November 2010 from the Department of Finance regarding Notice of Motion adopted at the October Monthly Meeting.

6. **Business submitted by An Cathaoirleach**

No business was submitted by An Cathaoirleach.

7. Planning Applications

The Members noted Planning Applications numbered MT 10/27 – M.T. 10/30.

8. Consideration of Reports of Committees

The Members noted the Minutes of the Planning Sub-Committee Meeting held with the Gardaí on 18th October 2010 regarding late night disturbances.

The Members noted the Minutes of the Planning Sub-Committee Meeting held with the Traders of Dublin Street on the 18th October 2010. The Town Engineer stated that he met with the owners of the alleyway in Dublin Street which is in bad condition and reiterated with them their responsibility to maintain the area to a good standard. It was noted that the Town Council would be willing to take the alleyway in charge. Gareth Mc Mahon, Town Engineer also stated that the Local Area Action Plan for Dublin Street will be on the agenda for the December Monthly Meeting of the Town Council.

The Members noted the Minutes of the Budget Sub-Committee meeting held on the 27th October 2010 regarding the opening of tenders for the upgrading of attic insulation in Local Authority dwellings.

The Members noted the Minutes of the Budget Sub-Committee meeting held with the Chamber of Commerce on the 8th November 2010. On the proposal of Cllr. David Maxwell seconded by Cllr. Mary Carroll it was agreed that the Budget Sub-Committee meet again to discuss the request from the Chamber of Commerce for funding and invite Dympna Condra, Tourism Officer to the Meeting.

9 Roads/Housing

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

- Footpaths need repair – Killyconnigan and Mullaghmat
- Kerbing – Courthouse car park
- Kerb damaged – opposite Unemployment office
- Public lighting out of order – Old Cross Square, Mullaghmat, Rowantree Walk
- Belgium Square – Manhole needs repair
- Flooding on Glen Road and on footpath (Church Square)
- Manholes need repair – Castleblayney Road and Belgium Square
- Leaves on footpaths – wet/slippy
- Ramp not marked – Old Railway Station.

10 Telecommunication Mast at Killygoan

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

11 Mullaghmat Remedial Work Scheme

The Members noted that the installation of central heating in dwellings in Mullaghmat is underway. The Town Engineer stated that the second phase of the Mullaghmat Remedial Works Scheme is well underway and should be completed ahead of schedule in 2011. Gareth McMahon, Town Engineer informed the Members that the National Building Agency are undergoing a staff restructuring process at present but are still standing by their commitment that Phase Three of the scheme will be in place on time.

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

The Members congratulated the contractor involved in carrying out the works under the above Scheme. Gareth Mc Mahon, Town Engineer stated that the railing for the bandstand and a new bicycle stand will be installed in the near future. It was noted that a CPO has been lodged for the acquisition of a parcel of land in Old Cross Square and that the Monument in this area will be relocated in early 2011.

13 Complaints of Noise Disturbance – Peter’s Lake area

The Town Clerk informed the Members that the Gardaí have written to the operators of hackneys, taxis and buses in relation to setting up a pick up point for their patrons at the rear of the Courthouse. The Members noted that the Gardaí have no longer any use for the gates at the nightclub in the centre of town that had previously directed patrons exiting the nightclub away from The Diamond. The Town Clerk stated that the Gardaí will monitor the situation over the coming weeks.

14 Consideration of Retail Business Leaders Forum Submission to Town Councils

The Members noted that Monaghan County Development Board have recently developed an Economic Strategy for the county and a number of Business Leaders Fora have been set up to assist in delivering key elements of the strategy. It was noted that one of the groups - the Retail and Service Business Leaders Forum has identified a number of potential stimulus packages for the retail sector:-

Business Incentive Scheme to encourage the use of vacant premises – to be operated by Dundalk Town Council.

Shop Front Improvement Scheme to enhance the historic character and traditional street scene of the town and create shop fronts which are more attractive for residents, visitors, shoppers and businesses – operated by Cavan Town Council.

Barrier parking – the availability of barrier parking in certain areas of Monaghan Town was raised through the Forum, the rationale is that customers could pay on exit from the car park without worrying about their parking ticket running out. It was noted that the Town Engineer carried out a report on barrier parking in the town and it was agreed to forward a copy of the report to Dymphna Condra, Tourism Officer.

On the proposal of Cllr Robbie Gallagher seconded by Cllr Thomas Hagan it was agreed to write to Dundalk Town Council and Cavan Town Council asking them for their experiences to date on these schemes.

15. Consideration of Draft Anti-Social Behaviour Policy

It was noted that Rosemary Mc Manus, Senior Executive Officer, Monaghan County Council and Ciaran Trant, Tenant Liaison Officer, Monaghan Town Council gave a presentation on the Draft Anti-Social Behaviour Policy to the Members of Monaghan Town Joint Policing Committee on the 9th November 2010. The Members of the Committee were also circulated with a document regarding the proposed Policy. On the proposal of Cllr David Maxwell seconded by Cllr Seamus Treanor it was agreed to adopt the Anti-Social Behaviour Policy.

16. Consideration of approval to Overdraft Accommodation to the 31st December 2011.

On the proposal of Cllr David Maxwell seconded by Cllr Pádraigín Uí Mhurchadha it was agreed to approve of Overdraft Accommodation in the sum of €1m to the 31st December 2011.

17. Notices of Motion

(a) “That this Council calls on the Government to increase the fuel allowance”.

Cllrs. Uí Mhurchadha, Conlon, Sherry, McGeown

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

Cllr Robbie Gallagher amended Notice of Motion (b) to read as follows:-

(b) “Monaghan 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 citizens 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, ensures that the Universal Service Obligation is protected by legislation and does not allow the opening of the market to lead to wide spread 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”.

Cllr Gallagher also circulated statistics for An Post and Postage Costs.

On the proposal of Cllr Robbie Gallagher seconded by Cllr Seamus Treanor it was agreed to adopt the above Notice of Motion and to circulate it to all Local Authorities within the County.

Cllr Paul McGeown left the Council Chamber.

18. Ceisteanna/Questions:-

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

(a) Will there be a rent review after the December Budget?

*If any tenant has a change in their circumstances including an increase/decrease of income **at any time** they should notify the Local Authority who will recalculate their rent.*

Cllr. Robbie Gallagher asked:-

(b) With a view to insuring that there would be no roadwork's taking place in and around the town in the lead up to the Christmas shopping period, what is the expected completion date of all roadworks around Monaghan town?

There are no further road works planned for the town centre area of Monaghan between now and Christmas, with the exception of the ongoing snagging of the Town Centre Regeneration works which shall be confined to localised areas.

© What is the expected date for the completion of works for the insulation upgrade scheme for Local Authority houses, where will the scheme operate and how many Local Authority houses will benefit from the installation of attics and walls under the scheme?

The awarding of this contract is imminent. Works will take 3 weeks to complete. There are 39 units (mostly in Ard Glas and Ard Gleann) that will benefit from the attic insulation, and 16 units that will benefit from the cavity wall insulation. Due to the very competitive rates secured for this contract it is hoped to extend the houses included in this scheme. Due to heavy investment in successive years in supplementary attic insulation in Monaghan Town Council Housing Stock this extended contract will see all housing stock, constructed under the old building regulations, brought up to the current building regulation requirements for attic insulation.

Ard Gleann (10 Units) – No's 3,4,5,6,7,8,9,10,11,12.

Ard Glas (28 Units) – No's 1,2,3,4,5,6,7,8,10,11,13,14,15,16,18,33,34,35,36,37,38,39,40,41,42, 43,44,45

Cathedral View (1 Unit) – No. 5

Woodview (6 Units) No's 44,46,48,50,52,54

Highfield Close (4 Units) No's 9,10,11,12

Rope Walk (6 Units) No.'s 1,2,3,4,5,6

19. Resolutions from other Local Authorities:-

- (a) "That this Town Council calls on the Government to extend the Back to School Clothing Allowance to self employed people who are living on the edge"

Portlaoise Town Council

On the proposal of Cllr David Maxwell seconded by Cllr Thomas Hagan it was agreed to mark the above Resolution read.

- (b) "That this Town Council calls on the Government to extend Family Income Supplement (FIS) to self employed people".

Portlaoise Town Council

On the proposal of Cllr David Maxwell seconded by Cllr Thomas Hagan it was agreed to mark the above Resolution read.

© "That this Town Council calls on the Minister for Finance not to impose any cuts on the old age pension in the forthcoming budget".

Portlaoise Town Council

On the proposal of Cllr David Maxwell seconded by Cllr Mary Carroll it was agreed to support the above Resolution.

(d) “That this Town Council immediately write to the Minister for Health and Children, Mary Harney T.D., urging her to reconsider the site for the proposed National Children’s Hospital”.

Naas Town Council

On the proposal of Cllr Seamus Treanor seconded by Cllr David Maxwell it was agreed to support the above Resolution.

(e) “That Donegal County Council opposes the Government’s introduction of a Public Service Obligation (PSO) levy on electricity bills that will increase the cost of electricity to householders and businesses by an average of 5%”.

Donegal County Council

The Members agreed to support the above Resolution.

(f) “That this Council calls upon the Government and HSE to:-

(i) make Alzheimer’s and other forms of Dementia a National Health Priority:

(ii) meet the growing needs of families affected by dementia by advancing the Action Plan for Dementia in a manner consistent with the Dementia Manifesto 2007 – 09 published by the Alzheimer’s Society of Ireland, until a more permanent Strategy can be determined:

And

(iii) upon other Local Authorities and groups representing civil society in Donegal and nationwide to add their support to this call”.

Donegal County Council

The Members supported the above Resolution.

(g) “Mindful of the recent report of the Radiological Protection Institute and aware that New Ross is designated a “High Radon Area” this Council calls on the Minister for the Environment to implement a scheme of free Radon tests in areas of high risk – as recommended by the RPI – and that a grant system for remediation works be likewise put in place”

New Ross Town Council

The Members supported the above Resolution.

20. Conferences:-

(a) Irish Council for Social Housing – “Financial Management in a Changing Environment” –18th 19th November 2010 – Kilkenny Ormond Hotel, Kilkenny – (approx. cost €600)

(b) The National Forum of Community Flood Committees – 19th – 20th November 2010 – West Cork Hotel, Skibbereen – (approx. cost €800)

© The Department of Environment, Heritage and Local Government CPD Seminar – Planning and Development (Amendment) Act 2010 – 25th November 2010 – The Savoy Hotel, Henry Street, Limerick – (approx. cost €450)

(d) Clare Tourist Council/Clare County Council National Tourism Conference – “Achieving World Class Tourism” – 25th – 27th November 2010 – Falls Hotel, Ennistymon, Co. Clare – (approx. cost €800)

No attendance is to take place to the above Conferences.

21. Any other Business

Cllr Pádraigín Uí Mhurchadha stated that she attended the Congress of Local and Regional Authorities of the Countries of Europe in Strasbourg in October through the AMAI.

It was agreed to write to the Gardaí regarding the problem of cyclists using footpaths throughout the town and the danger which they are causing to pedestrians.

On the proposal of Cllr. Seán Conlon seconded by Cllr. Robbie Gallagher it was agreed that a letter be issued to John Gormley, T.D., Minister for the Environment, Heritage and Local Government seeking clarification on the filling of the post of Monaghan County Manager on a permanent basis.

It was noted that Municipal Rates are payable on Monaghan Leisure Complex.

22. Sympathy/Congratulations

A vote of congratulations was extended to the following:-

- Noel Curran, Carrickmacross on his appointment as new Director General of RTE
- Catriona Ní Chleircín, Emyvale on her recent publication of a new booklet of Irish poetry
- Monaghan United Football Team on their successful season
- Dermot Brannigan on his appointment as Acting Chief Fire Officer with Monaghan County Council
- Damien Treanor on his appointment as Director of Services for Roads and Environment with Monaghan County Council
- Seamus Mc Eneaney on his appointment as Manager of the Meath County Football Team

This concluded the business of the meeting.

Dated this the 20th day of December 2010.

Cathaoirleach