

Minutes of Meeting of Monaghan County Council held via Microsoft Teams, on Monday 8th March, 2021 at 11.00 a.m.

Chair: Cllr C. Carthy, Cathaoirleach

Present: Cllrs. Aughey, Bennett, Campbell, Conlon, Coyle, Connolly, Gilliland, Keelan, Kerr-Conlon, Maxwell, McCooey, McKenna, O’Hanlon, P. Treanor, S. Treanor, and Truell.

Mr. E. O’Sullivan, Chief Executive, Mr. J. Murray, Head of Finance, Mr. P. Clifford, A. King, Ms. P. Monahan, Directors of Services, Mr. Cathal Flynn, A/Director of Services, Mr. A. Hughes, Senior Planner, Mr. N. O’Connor, Oifigeach Gaeilge, Ms. M. McGarvey, Senior Staff Officer and Ms. C. Thornton, Meetings Administrator.

Apology: Cllr McCooey and Cllr McElvaney

Sympathy – Mickey Kelly RIP and Raymond Logue, RIP:

The Cathaoirleach proposed a vote of sympathy with the families of Council employees - Mickey Kelly, former Dog Warden and Raymond Logue, General Operative, Ballybay – Clones MD who had both passed away in February. He expressed sympathy with Mickey’s wife Deirdre, son Luke and the Kelly family and also with Raymond’s wife Edel, daughter Aoife and son Ciaran and the Logue family.

All members of the Council associated themselves with the votes of sympathy. They spoke highly of the late Mickey and Raymond – recalling their personalities and their dedication to their work in their roles as Dog Warden and General Operative respectively. Mr. E. O’Sullivan, Chief Executive and Mr. A. King Director of Services, associated themselves and the staff with the votes of sympathy.

Votes of sympathy were also extended to the following staff who had been recently bereaved -

- Geraldine Killen, Internal Auditor on the death of her father in law Alphonsus Killen, RIP
- Teresa McGuirk, Housing Section on the death of her mother May McKenna, RIP and Grainne McNamee, Planning Section on the death of her grandmother.
- Brian McCarron, Receptionist on the death of his mother Frances McCarron RIP and mother-in law of Fiona McCarron, Human Resources Section.

The Cathaoirleach adjourned the meeting for a short period as a mark of respect.

Seachtain na Gaeilge:

On resumption, the Cathaoirleach gave the following short address, as Gaeilge, in acknowledgement of Seachtain na Gaeilge -

A chairde tá muid I lár Seachtain na Gaeilge faoi láthair agus ba mhaith liom an cruinniú inniu a oscailt le cúpla focal Gaeilge. Ní cainteoir líofa mé ach déanaim iarracht cúpla focal a úsáid gach lá chun feabhas a chur ar mo chuid Gaeilge. Ba mhaith liom na comhairleoirí a spreagadh chun cibé Gaeilge atá acu a úsáid agus cuirim fáilte roimh na forbairtí le Gaeilge a chothú i bhfoireann Chomhairle Contae Mhuineacháin.

Agus ba mhaith liom Oifigeach Gaeilge na Comhairle Nial O’Connor agus Muineachán le Gaeilge a mholadh as ucht an comhoibriú leanúnach chun ár dteanga a chur chun cinn. Tá i bhfad níos mó daoine óga i gContae Mhuineacháin ag fáil a n-oidreachais trí Ghaeilge so is cinnte go mbeidh an

Ghaeilge láidir i measc na nglúinte atá amach romhainn. Creidim gur chóir dúinn mar chomhairle tacú leis an fhás sin i gcibé gur féidir linn. Go raibh maith agaibh.

Colleagues, we are currently in the midst of Seachtain na Gaeilge and I want to open up today's meeting using a small piece of our native language. I am not a speaker of Irish and struggle with it but I use a cupla focal each and every day and continue to try and better myself. I want to encourage members to continue to use Irish whenever they wish and welcome advances made in supporting Gaeilge in the staff of Monaghan County Council.

I want to commend our Irish Language officer, Nial O'Connor, and Muineachain le Gaeilge for their continued collaboration in making our language more accessible. There are more and more young people being educated through Irish in Co Monaghan so our future generations will be far better equipped to use the language daily. I believe we, as a local authority, should continue to support that growth in whatever way we can. Thank you.

Urgent Business:

The Cathaoirleach informed the members that he had received a notice of urgent business in the names of Cllrs P. Treanor, McKenna, Conlon and Carthy, as follows:

That Monaghan County Council writes to Bank of Ireland, The Financial Services Union, the Minister for Finance, Paschal Donohue TD and all local Oireachtas Members, demanding that Bank of Ireland reverse their decision to close their branches in Clones and Castleblayney.

On the proposal of Cllr P. Treanor, seconded by Cllr Bennett, it was agreed to go 'Into Committee' to discuss whether to accept the motion submitted as urgent business.

Following a short discussion, it was agreed to take the motion of urgent business at the end of the meeting.

On the proposal of Cllr Bennett, seconded by Cllr McKenna, it was agreed that the Council revert to public session.

1. Confirmation of Minutes

(i) Minutes of Council meeting held on 8th February, 2021

On the proposal of Cllr Keelan, seconded by Cllr P. Treanor, it was agreed that the minutes of the Council meeting held on the 8th February, 2021, be confirmed.

2. Correspondence.

The following correspondence was circulated with the agenda for the meeting:

- Letter from the Department of Transport confirming the Monaghan Regional and Local Roads Allocations for 2021.
- Letter from the Office of the Minister for Housing, Local Government and Heritage regarding 2021 Allocation – Housing Adaptation Grants for Older People with a Disability Scheme.
- Letter from the Office of the Minister for Social Protection, Ms. Heather Humphreys, T.D. regarding Rent Supplement.

- Letter from the Office of the Minister for Further and Higher Education, Research Innovation and Science, Mr. Simon Harris, T.D. regarding Holiday earnings under the Student Grant Scheme.
- Letter from the Office of the Minister for Children, Equality, Disability, Integration and Youth Mr. Roderic O’Gorman, T.D. regarding Domestic, Sexual and Gender-based Violence.
- Letter from An Post regrading Annyalla Post Office.
- Resolution from Limerick City & County Council regarding the suspension of preparation of the Draft Limerick Development Plan 2022-2028 until restrictions are eased.
- Email from Brendan Buckley, Civil Defence Officer thanking MCC members for remembering his deceased mother-in-law Breda.
- Resolution from Limerick City & County Council regarding mother and baby homes.
- Resolution from Clare County Council regarding the current National Planning Framework.
- Resolution from Clare County Council regarding unauthorised occupation of public lands all over Ireland.
- Resolution from South Dublin County Council regarding Debenhams workers.
- Resolution from Tipperary County Council regarding extra support to regional newspapers who provide an essential service.
- Resolution from Tipperary County Council regarding PSO Levy on ESB bills for Community Halls and facilities.
- Resolution from Kerry County Council regarding student nurse’s payment.
- Resolution from Kerry County Council regarding making contact with Ms. Samantha Power, newly appointed Head of US Aid.
- Resolution from Kerry County Council regarding United Nations Security Council.
- Resolution from Laois County Council regarding the new Land Development Agency Bill 2021.

The following additional correspondence which had been received after the agenda had issued, was also circulated:

- Resolution from Sligo County Council regarding a meeting with an Independent Meat Regulator.
- Resolution from Sligo County Council regarding community groups in need as a result of COVID-19 pandemic.
- Resolution from Sligo County Council regarding local Post Offices.
- Resolution from Sligo County Council regarding proposed provisions of the Land Development Agency Bill 2021.
- Letter from the Office of the Minister for Agriculture, Food and the Marine regarding MCC’s concerning the TB Herd History Risk Statement.
- Letter from the Office of the Minister for Defence and Foreign Affairs, Mr. Simon Coveney, T.D. regarding Jadotville.

Proposals arising out of correspondence:

On the proposal of Cllr P. Treanor, seconded by Cllr Bennett, it was agreed that the Council support the resolution from Sligo County Council calling on the Minister for Agriculture to seek the appointment of an Independent Meat Regulator with statutory powers. The purpose of such an independent Regulator will be to have legislative powers to investigate anti-competitive behavior by meat processors, meat traders, bodies associated with the trade of meat, trade of meat by products and/or trade by retailers who operate along the meat supply chain.

On the proposal of Cllr P. Treanor, seconded by Cllr Bennett, it was agreed that the Council supports the resolution from Kerry County Council calling on the Government to utilize its seat on the United Nations Security Council to deliver Statehood to the Palestinian people.

On the proposal of Cllr Bennett, seconded by Cllr O'Hanlon, it was agreed that this Council writes again to An Post and Minister Eamonn Ryan demanding the installation of a post box at Annyalla Village.

On the proposal of Cllr Coyle, seconded by Cllr Connolly, it was agreed that the Council demand the withdrawal by the Minister for Housing, Local Government and Heritage, Darragh O'Brien TD and the Government of Section 56 of the Land Development Agency Bill published on the 2nd February 2021 which will remove the democratic powers of local authority members to have the final vote in regard to the sale/and or transfer of land in the ownership of the local authority to a third party. This section of the Bill is in direct contravention to the Programme for Government signed up to by the three government parties 10 months ago. It will remove Councillor's democratic power and is a direct attack on local government democracy. The motion, if adopted, to be forwarded to all Oireachtas members for Cavan-Monaghan and Minister O'Brien)

On the proposal of Cllr Connolly, seconded by Cllr McKenna, it was agreed that the Council support the resolution from Limerick City and County Council calling on the Government to establish a national day of recognition for the women and their children impacted in mother and baby homes and that the Council writes to the Minister for Children asking that the survivors be given access to a written copy of the Final Report of the Commission of Investigation into Mother and Baby Homes.

On the proposal of Cllr Connolly seconded by Cllr S. Treanor it was agreed that the Council support the resolution from Killarney Municipal District calling on the Minister for Health to arrange for the immediate introduction of payment to student nurses, once they take up placement duties.

On the proposal of Cllr Connolly, seconded by Cllr McKenna, it was agreed that the Council support the resolution from Tipperary County Council calling on the Minister for the Environment, Climate Action and Communication Eamon Ryan TD to provide for a 75% rebate in the PSO levy on ESB bills for community halls and facilities because of their inability to fundraise due to Covid 19.

Cllr Conlon requested that a reminder letter would be sent to Coillte seeking a response to his resolution passed at the January meeting seeking information on forestry plantations in Co. Monaghan. This was agreed.

3. To approve the MCC Annual Service Delivery Plan for 2021

Mr. C. Flynn, A/Director of Services, outlined the main elements of the Annual Service Delivery Plan (ASDP) for 2021, which had been circulated with the agenda for the meeting. He stated that the plan, which had been prepared in accordance with the Local Government Reform Act, 2014 and in conjunction with the Draft Corporate Plan 2020-2024, identifies the services that the Council intends to provide to the public in the year ahead. He further stated that the Plan, which reflected the provisions of Budget 2021, sets out the objectives and priorities for each department; the strategies for achieving those objectives and the priorities and performance standards intended to be met.

Mr. Flynn then responded to queries from the elected members.

On the proposal of Cllr Campbell, seconded by Cllr Conlon, it was agreed that the Council adopt the Monaghan County Council Annual Service Delivery Plan for 2021.

On the proposal of Cllr Conlon, seconded by Cllr P. Treanor it was agreed that this Council writes to Minister for Housing Darragh O'Brien TD and the Department of Housing and NOAC expressing our disappointment at the low targets established under the Rebuilding Ireland Programme resulting in Monaghan having the second lowest ownership of LA housing stock. That we seek appropriate funding increases and setting of increased targets to meet the considerable demand for social housing in County Monaghan that currently is only at 50% of the median state average and 1.2% of the State's housing stock.

4. To receive Notice of Intention to adopt Part IV of the Public Health Amendment Acts 1890

The Meetings Administrator referred to the Report which had been circulated. She explained that the Council had received a request from Seamus Mallon Solicitors Castleblayney, on behalf of Castleblayney Arts & Community Development Company Limited (Iontas Centre) for a declaration that Monaghan County Council (or its predecessor Authorities) adopted Part IV of the Public Health Acts Amendment Act 1890.

She stated that following a review of the legislation it was noted that the Public Health Acts Amendment Act 1890 is divided into 5 Parts. Parts 11, III and IV are adoptive by local authorities and only come into effect following a resolution of the local authority. Part IV (Section 51) deals with the issue of Music and Dancing Licences.

By virtue of Section 14 of the Public Dance Halls Act of 1935, licences for public dancing have been removed from the remit of the 1890 Act, but the licensing of public singing and music remains governed by the 1890 Act. This means that before a "Music and Singing licence" can be issued by the Courts under Section 51 of the 1890 Act, the Court must be satisfied that Part IV of that Act has been adopted by the local authority in the first place. It would require extensive resources to trawl through the minutes of Monaghan County Council and the former Town Councils to determine if indeed such resolution was passed, adopting Part IV. It remains open to Monaghan County Council to adopt Part IV now — the procedure is clearly laid out in the 1890 Act.

The Council's Solicitor has confirmed that *...the adoption of Part IV doesn't appear to have any downside for the Council but it would mean that any singing or public entertainment establishment which doesn't sell alcohol and which in the past didn't need a Part IV licence will now need one.*

The process for the adoption of Part IV is relatively straightforward and requires that the Council, following a period of notice to each member, pass a resolution, adopting Part IV of the Public Health Acts Amendment Act 1890 (as amended).

The Chief Executive explained that the purpose of having the item on the Council agenda was to give members the statutory 30 days period of notice which was required prior to the members taking a decision on the matter at the April Council meeting.

Cllr Maxwell requested that before the Council take a decision on this matter that clarification be provided in relation to the impact of such a decision on local community groups or community/church halls running an event to raise funds for charity or local causes.

5. Diospóireacht as Gaeilge / Tuarascáil Bhliantúil - Coiste na Gaeilge

The Irish Officer, Nial O Conchuir gave a presentation of the activities of the Coiste Gaeilge during 2020. The members had a debate after with contributions from the Chair of the Coiste Cllr Pat Treanor the Chief Executive and a number of members.

Rinne an tOifigeach Gaeilge, Nial Ó Conchúir, cur i láthair ar ghníomhaíochtaí Choiste Gaeilge na bliana 2020. Bhí díospóireacht ag na Comhairleoirí agus cuir an Chathaoirleach an Choiste, Cllr. Pat Treanor and Príomhfheidhmeannach agus roinnt Comhairleoirí leis an díaspóireacht.

The main item discussed was the possibility of exploring if the Council could secure extra resources and funding for a person to assist the Irish officer in collaboration with neighbouring local authorities. Members also referred to the Irish language classes that were organised last year and suggested that more classes could be organised via an online platform.

Ba í an phríomhábhar a pléadh ná féachaint an bhféadfadh an Chomhairle acmhainní breise agus maoiniú breise a fháil chun cabhrú leis an oifigeach Gaeilge i gcomhlúadar le húdaráis áitiúla chomharsanachta. Thagair na Baill freisin ar na ranganna Gaeilge a eagraíodh anuraidh agus mhol siad go bhféadfaí níos mó ranganna a eagrú trí ardán ar líne.

On the proposal of Cllr P. Treanor, seconded by Cllr Bennett, it was agreed that Monaghan County Council review how we implement our commitment to the Irish speaking community and investigate the benefits of a partnership with a neighbouring Council, like Cavan, Fermanagh/Omagh, Mid Ulster, etc, to improve our service with extra staff or staff hours.

6. To endorse Housing Presentation on Home Heating and Energy Efficiency

Cllr P. Treanor, Chair of the Housing SPC referred to the presentation to a recent Housing SPC meeting on Home Heating and Energy Efficiency in the Council's housing stock. The presentation contained the following proposals in relation to the future upgrading of heating systems in Council housing.

- Older persons, particularly those occupying Older Persons Dwellings (OPDs) will be allowed to continue with their preferred heating system where feasible, as OPDs become vacant they will be upgraded as the opportunity arises.
- At no cost to tenants, Monaghan County Council will continue to improve the Energy Efficiency of the dwellings it owns at every opportunity, towards eliminating fuel poverty, including the gradual phasing out of solid fuel heating systems because of the reasons set out in the preceding slides
- At no cost to tenants, heating systems will continue to be upgraded when they become damaged or come to the end of their life, the draught-proofing of the house will be improved and Monaghan County Council will ensure that the primary energy efficient heating system is working efficiently before removing the solid fuel fire because of the reasons set out in the preceding slides
- Monaghan County Council will provide zero interest loans up to the amount of €2000 for tenants who want to keep dual heating systems in their houses and will arrange repair and replacement work on their behalf (subject to compliance with applicable guidelines and regulations) to acknowledge the preference of some tenants

The Housing SPC had considered the matter and were in agreement with the proposals. He recommended that the Council endorse the proposals.

On the proposal of Cllr P. Treanor, seconded by Cllr S. Conlon, it was agreed that the Council endorse the proposals contained within the Housing Presentation on Home Heating and Energy Efficiency as outlined above.

7. To nominate one member to the Comhairle na nOg Steering Committee

On the proposal of Cllr O'Hanlon, seconded by Cllr Campbell, it was agreed that this Council approve the nomination of Cllr Aoife McCooey to the Comhairle na nOg Steering Committee.

8. To receive presentation on Tourism Programme

Ms. Dympna Condra, Tourism Marketing Executive gave a comprehensive report to the members on the projects/activities carried out under the Tourism Statement of Strategy and Work Programme 2017-2022. She outlined in detail the collaboration with Failte Ireland and other agencies, and highlighted the projects which had been undertaken and completed during the period, under Product Development and Tourism Promotion. Following her presentation she responded to queries from the elected members.

The Cathaoirleach and a number of members thanked Dympna for her presentation and complimented her on the wide range of projects and promotional work undertaken in the past few years.

The Chief Executive thanked Dympna for the huge amount of work completed under the Tourism Programme. He pointed out that circa €4.8m had been directly invested in the various projects outlined by Dympna. This was a significant investment in County Monaghan and wouldn't have been possible without strong collaboration with Failte Ireland. He welcomed the figures announced by Coillte in respect of Rossmore Park where visitor numbers had doubled in the past year and the Park was second only to the Dublin mountains in terms of the increase in numbers.

Cllr Conlon proposed, Cllr Keelan seconded - that this Council writes to Failte Ireland and Tourism Ireland seeking to robustly re-assess their tourism promotion budget towards County Monaghan and to work with relevant stakeholders in a more appropriate branding for this County outside of the expansive Irelands Ancient East.

Also for Failte Ireland and Tourism Ireland to give a county by county breakdown of the tourism promotion allocation. That we also seek the development of a regional masterplan for Monaghan and neighbouring counties similar to the recently published multi-million euro funded Shannon Waterways Development Programme.

The Cathaoirleach put Cllr Conlon's proposal to the members – a recorded vote was taken which resulted as follows:

For: Cllrs Bennett, Carthy, Conlon, Connolly, Keelan and P. Treanor Total 6

Against: Cllrs Campbell, Coyle, Maxwell, O'Hanlon, S. Treanor and Truell Total 6

The Cathaoirleach gave his casting vote in favour of the motion and declared it carried.

Meeting Adjournment:

It was agreed to adjourn the meeting to Monday 22nd March 2021 at 10.00 a.m., in order to consider the remaining items on the agenda.

The meeting then concluded.

Signed: _____

Cathaoirleach

Meetings Administrator

Date: _____