

Minutes of Meeting of Monaghan County Council held in the Garage Theatre, Armagh Road, Monaghan, on Monday 10th May, 2021 at 11.00 a.m.

Chair: Cllr C. Carthy, Cathaoirleach

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

Mr. P. Clifford, Acting Chief Executive, Mr. J. Murray, Head of Finance, Ms. P. Monahan, Director of Services, Mr. Cathal Flynn and Mr. P. McGuinness, A/Directors of Services, Mr. A. Hughes, Senior Planner, Mr. T. Gourley, Senior Executive Planner, Ms. M. McGarvey, Senior Staff Officer and Ms. C. Thornton, Meetings Administrator.

Apology: Cllr Kerr-Conlon, Mr. E. O'Sullivan, Chief Executive and Mr. A. King, Director of Services.

At the outset, the Cathaoirleach expressed sympathy to the following:

- Eamonn O' Sullivan, Chief Executive on the death of his brother-in-law Owen Malone, Wicklow RIP.
- Former Councillor Patsy Treanor on the death of his daughter Sharon Carraher RIP

All members associated themselves with the expressions of sympathy as did the Acting Chief Executive on behalf of the Management Team and staff. A period of silence was observed as a mark of respect.

Urgent business:

The Cathaoirleach informed the members that he had received a notice of urgent business in the names of Cllrs Aughey, Coyle, McCooey and O'Hanlon, as follows:

*That Monaghan County Council expresses its outrage and total opposition to unilateral proposals by the British Government to grant an amnesty by introducing a statute of limitation, banning the prosecution of those involved in horrific murders and crimes during the Northern Ireland Conflict, including the Monaghan and Dublin bombings in 1974 which cost 34 people their lives, 7 in Monaghan and 27 in Dublin, demanding that An Taoiseach, Michéal Martin TD, the Minister for Foreign Affairs, Simon Coveney TD, the Government and all parties to the Stormont House Agreement, ensure that this proposal by the British Government is scrapped immediately".
(This Motion if adopted be forwarded to all Oireachtas Members for Cavan-Monaghan, the Taoiseach and Minister for Foreign Affairs).*

On the proposal of Cllr Coyle, seconded by Cllr O'Hanlon, 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 Gilliland, seconded by Cllr P. Treanor, it was agreed that the Council revert to public session.

Retirement of Adge King, Director of Services

Mr. P. Clifford, A/Chief Executive informed the members that Mr. Adge King, Director of Services, proposed to retire from the Council in early June 2021. Mr. Clifford documented Adge's service with the Council since he commenced employment in 2001 as Director of Community and Enterprise. Mr. Clifford extended his good wishes to Adge, and his family, for a long, happy and healthy retirement.

The Cathaoirleach and all members of the Council responded to the announcement. They recalled aspects of their interactions with Adge over the years, his service across a number of sections of the Council and his commitment and dedication while undertaking his role as Director of Services and as Manager of the Ballybay-Clones MD. They also wished him a long and happy retirement with his wife and family.

The Cathaoirleach and A/Chief Executive thanked the members for their contributions and good wishes.

1. Confirmation of Minutes

(i) Minutes of Council meeting held on 12th April, 2021

On the proposal of Cllr Maxwell, seconded by Cllr Bennett, it was agreed that the minutes of the Council meeting held on the 12th April 2021, be confirmed.

(i) Minutes of Adjourned Council meeting held on 22nd April, 2021

On the proposal of Cllr Maxwell, seconded by Cllr Bennett it was agreed that the minutes of the adjourned Council meeting held on the 22nd April 2021, be confirmed.

(ii) Minutes of Special meeting held on 19th April, 2021

On the proposal of Cllr Maxwell, seconded by Cllr Bennett it was agreed that the minutes of Special meeting held on the 19th April 2021, be confirmed.

2. Correspondence.

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

- Letter from the Office of the Tánaiste and Minister for Enterprise, Trade and Employment, Mr. Leo Varadkar, T.D. regarding the Comprehensive Economic and Trade Agreement between the EU and Canada (CETA).
- Letter from the Office of Tourism Ireland regarding the Tourism promotion budget towards County Monaghan.
- Email from the Office of the Minister for Housing, Local Government and Heritage, Mr. Darragh O'Brien, TD regarding the Land Development Agency Bill.
- Email from the Office of the Minister for Foreign Affairs and Minister for Defence, Mr. Simon Coveney, T.D. regarding the revoking of the Government of Ireland Act, 1920.
- Letter from the Chief Executive of the Bank of Ireland regarding service changes in County Monaghan.

- Letter from the Mid-Ulster District Council regarding the World Health Organisation 's plea for an equitable distribution of all vaccines, treatments and therapies developed to combat the Coronavirus scourge.
- Resolution from Sligo County Council regarding tax rises after COVID-19 and to ask the Minister for Finance not to increase.
- Resolution from Sligo County Council regarding the Insurance crisis facing the community sector.
- Resolution from Donegal County Council regarding Rosses Community Schooling in their campaign to address period poverty.
- Resolution from Clare County Council regarding the carers allowance to be no longer means tested.
- Resolution from Clare County Council regarding the "Connecting for Life" initiative to pilot a Community Psychiatric Car service.
- Resolution from Clare County Council regarding victims of Domestic, sexual and gender-based violence have access to free psychological support and counselling during and after the legal process.
- Resolution from Dún Laoghaire-Rathdown County Council regarding the Epilepsy Ireland campaign.

2.1 The following additional correspondence was also circulated:

- Email from the Office of the Minister for Social Protection and Rural & Community Development, Ms. Heather Humphreys, T.D. acknowledging the Council's resolution regarding a compensation fund in order to protect the poultry sector.
- Email from the Office of the Minister for Community Development and Charities, Mr. Joe O'Brien, T.D. regarding a funding stream aimed at Communities Resourced to Rejuvenate and Inspire Connections (CRRIC).
- Email from the Office of the Minister for Environment, Climate and Communications regarding the Waste Management Act and Litter Pollution Act.
- Email from the Office of the Minister for Mental Health and Older People, Mary Butler T.D. regarding Fair Deal Scheme.
- Letter from Mr. Matt Carthy T.D. regarding the closure of Bank of Ireland branches in Clones & Castleblayney.
- Email from Mr. Brendan Smith, T.D. regarding the Poultry Sector.

Proposals arising out of correspondence:

On the proposal of Cllr Bennett, seconded by Cllr P. Treanor it was agreed that Monaghan County Council support and advertise the Tourism Ireland Fill your Heart with Ireland Initiative/campaign in relation to tourism and encourage all relevant businesses in Monaghan to join this initiative.

On the proposal of Cllr Bennett, seconded by Cllr Conlon it was agreed that the Council writes again to the Minister for Foreign Affairs reiterating the need for preparation for Unity on this island and enquiring what preparation is being made to achieve this.

On the proposal of Cllr Bennett, seconded by Cllr McCooey, it was agreed that this Council supports the resolution from Donegal County Council which outlines initiatives that are included in the National Strategy for Women and Girls 2017-2020 in relation to period poverty

and that Monaghan County Council makes available access to free sanitary items in all its public buildings.

On the proposal of Cllr Bennett, seconded by Cllr McCooey, it was agreed that the Council supports the resolution from Clare County Council calling on the Taoiseach, Minister for Finance and Minister for Social Protection to prioritise that the Carers Allowance is no longer means tested after the 2021 budget. Given that the majority of carers are female and the fact that Carer's Allowance is means tested, a huge amount of women don't receive any money due to their partners earnings.

On the proposal of Cllr Bennett, seconded by Cllr Conlon, it was agreed that the Council supports the resolution from Clare County Council calling on the Minister for Health to ensure that victims of domestic, sexual and gender-based violence have access to free psychological support and counselling during and after the legal process as required. That this support be provided bearing in mind that convicted perpetrators have access to these services at least over the duration of the sentence.

On the proposal of Cllr McKenna, seconded by Cllrs Connolly and Coyle, it was agreed that this Council supports the resolution from Clare County Council calling on the HSE and the 'Connecting for Life' initiative to pilot a Community Psychiatric Car service in the county.

On the proposal of Cllr Connolly, seconded by Cllr P. Treanor, it was agreed that this Council supports the resolution from Sligo County Council calling on the Tanaiste to intervene on the crisis facing our community sector in relation to insurance.

3. To consider the following Section 183 Notices

(i) Disposal of property at 2/3 Thomas Street, Castleblayney

The members noted the report which had been circulated recommending the disposal of property at 2/3 Thomas Street, Castleblayney marked in red on the accompanying map. Mr. P. Clifford, A/Chief Executive explained that the members had already given their approval to the proposed disposal earlier this year. However, as the purchaser had changed its trading name from Creighan Contracts Ltd to PCEM Enterprises Ltd., it was necessary to present a new Section 183 Notice to the members.

On the proposal of Cllr Campbell, seconded by Cllr McCooey, it was agreed that the Council approve the disposal of property at 2/3 Thomas Street, Castleblayney, in accordance with notice dated 13 April 2021 under Section 183 of the Local Government Act 2001.

(ii) Disposal of 0.01224 hectares at Knockroe, Monaghan - Michael Leonard

Ms. P. Monahan, referred to the report in relation to the proposed disposal of 0.01224 hectares at Knockroe, Monaghan to Michael Leonard in accordance with the notice and map circulated. The Council intend to retain a 1.8m strip of land as outlined on the map to allow for possible future development of pedestrian/cycling network.

On the proposal of Cllr McElvaney, seconded by Cllr P. Treanor, it was agreed that the Council approve the disposal of 0.01224 hectares at Knockroe, Monaghan, in accordance with notice dated 12 April 2021 under Section 183 of the Local Government Act 2001.

(iii) Disposal of .0102 hectares at Latlorcan Glen, Monaghan (Access)

Mr. C. Flynn referred to the report circulated in relation to the proposed disposal of 0.0102 hectares at Latlorcan Estate, Castleblayney Road, Monaghan. The proposed disposal is to provide a pedestrian connection from Latlorcan estate and a right of way over Council lands for pedestrian connection from Dublin Road. It will also provide two wayleaves over Council lands to provide for water and sewer connections.

On the proposal of Cllr Aughey, seconded by Cllr Connolly, it was agreed that the Council approve the disposal of 0.0102 hectares at Latlorcan Estate, Castleblayney Road, Monaghan, in accordance with notice dated 12 April 2021 under Section 183 of the Local Government Act 2001.

In accordance with the Ethics Framework, Cllr Maxwell declared a possible conflict of interest in relation to item 3(iv) and withdrew from the meeting room whilst the matter was being dealt with.

(iv) Disposal of 0.2163 hectares at Latlorcan Glen, Monaghan (Creche)

Mr. C. Flynn referred to the report circulated in relation to the proposed disposal of 0.2163 hectares at Latlorcan Estate, Castleblayney Road, Monaghan to facilitate the provision of a creche at this location. He outlined the conditions attaching to the proposed disposal.

On the proposal of Cllr Connolly proposed, seconded by Cllr Aughey seconded, it was agreed that the Council approve the disposal of 0.2163 hectares at Latlorcan Estate, Castleblayney Road, Monaghan, in accordance with notice dated 19 April 2021 under Section 183 of the Local Government Act 2001.

Cllr Maxwell returned to the meeting room.

4. To consider the Chief Executive's Reports prepared in accordance with Part VIII of the Planning and Development Regulations 2001 (as amended) in respect of the following:

(i) Construction of a pedestrian safety scheme at the Margaret Skinnider Roundabout, Monaghan Town 21/8001

The members noted the Chief Executive's report dated 30 April, 2021 in relation to planning permission for a Pedestrian Safety Scheme at the Margaret Skinnider Roundabout (N54/R867 Roundabout) entering Monaghan Town centre from Clones. Planning Ref No. 21/8001 refers.

On the proposal of Cllr Connolly, seconded by Cllr Aughey, it was resolved that the Council proceed with the development as proposed, namely; a Pedestrian Safety Scheme at the Margaret Skinnider Roundabout, to comply with the report from the Chief Executive dated 30 April 2021, in accordance with Part VIII of the Local Government (Planning and Development) Regulations 2001 (as amended). Planning Ref No. 21/8001 refers.

(ii) Redevelopment of the former cinema site for office use and associated facilities at Fermanagh Street, Clones 21/8002

The members noted the Chief Executive's report dated 30 April, 2021 in relation to planning permission for the re-development of 22 Fermanagh Street Clones (Former Cinema Site). Planning Ref No. 21/8002 refers.

On the proposal of Cllr Connolly, seconded by Cllr Aughey, it was resolved that the Council proceed with the development as proposed, namely; the re-development of 22 Fermanagh Street Clones (Former Cinema Site), to comply with the report from the Chief Executive dated 30 April 2021, in accordance with Part VIII of the Local Government (Planning and Development) Regulations 2001 (as amended (Planning Ref 21/8002 refers).

(iii) Infilling of lands and raising of ground levels on a site in the townlands of Monantin and Creevagh, Ballybay 21/8003

The members noted the Chief Executive's report dated 30 April, 2021 in relation to planning permission for infilling of lands and raising of grounds levels using imported inert material at Monantin & Creevagh, Ballybay, Co. Monaghan Planning Ref No. 21/8003 refers.

On the proposal of Cllr Coyle, seconded by Cllr McElvaney it was resolved that the Council proceed with the development as proposed, namely the infilling of lands and raising of grounds levels using imported inert material at Monantin & Creevagh, Ballybay, Co. Monaghan, to comply with the report from the Chief Executive dated 30 April 2021, in accordance with Part VIII of the Local Government (Planning and Development) Regulations 2001 (as amended (Planning Ref 21/8003 refers).

(iv) Construction of a concrete hard-standing area, weighbridge and wheel wash facilities for the reception, storage and transfer of inert waste at Lislanly, Castleblayney 21/8004

The members noted the Chief Executive's report dated 30 April, 2021 in relation to planning permission for the construction of a concrete hard-standing area, weighbridge and wheel wash facilities for the reception, storage and transfer of inert waste at Lislanly, Castleblayney Planning Ref No. 21/8004 refers.

On the proposal of Cllr Gilliland, seconded by Cllr P. Treanor, it was resolved that the Council proceed with the development as proposed, namely the construction of a concrete hard-standing area, weighbridge and wheel wash facilities for the reception, storage and transfer of inert waste at Lislanly, Castleblayney to comply with the report from the Chief Executive dated 30 April 2021, in accordance with Part VIII of the Local Government (Planning and Development) Regulations 2001 (as amended (Planning Ref 21/8004 refers).

5. To consider Proposed Deletion of No. 10 Dublin Street, Monaghan Town from the Record of Protected Structures for County Monaghan

Mr. A Hughes, Senior Planner, gave a presentation to the members on the process that had been undertaken in relation to the proposed deletion of No 10 Dublin Street, Monaghan Town from the Record of Protected Structures for County Monaghan (RPS). Following the public consultation process, four submissions had been received – 1 from the Department of Housing, Local Government and Heritage and 3 from members of the public, all of whom were opposed to the deletion of the building from the RPS. Mr Hughes outlined the main reasons for the opposition to the deletion contained in the submissions. Mr. Hughes stated that having regard to the report circulated, and to the assessment contained in the CONSARC Conservation Architects report dated May 2020, it was recommended that this structure be deleted from the Record of Protected Structures for County Monaghan.

Following the presentation Mr. Hughes responded to queries from the members.

Cllr Connolly proposed, Cllr Aughey seconded that the Council approve the proposed removal of the structure (10 Dublin Street, Monaghan) from the Record of Protected Structures for County Monaghan.

The Cathaoirleach put Cllr Connolly's proposal to the meeting. A vote by show of hands resulted in 17 for Nil against. The Cathaoirleach declared the proposal carried.

6. To consider the Draft General Development Contribution Scheme 2021 – 2026

Mr. T. Gourley, Senior Executive Planner, explained that the Planning & Development Act 2000 (as amended) permits local authorities to adopt a development contribution scheme to levy charges for capital infrastructure. The Act provides for three types of development contributions that may be attached as conditions to a planning permission under the Act, ie General Development Contributions; Special Development Contributions and Supplementary Development contributions. He then gave a detailed presentation to the members during which he outlined the following:

- The need for Development Contributions
- Projects funded from 2013 – 2020 and anticipated to be funded from 2021 – 2026
- The proposed changes to the existing scheme

Mr. Gourley responded to queries from the members.

On the proposal of Cllr Keelan, seconded by Cllr Maxwell, it was agreed to approve the Draft Development Contribution Scheme 2021 – 2026 and proceed to the public consultation phase in accordance with Section 48 of the Planning and Development Act 2000 (as amended).

7. Progress Review of County Development Plan

Mr. T. Gourley, Senior Executive Planner informed the members that under Section 15 of the Planning and Development Act 2000, Planning Authorities are required to review the objectives of the Development Plan and to prepare a report on progress in achieving the objectives of the Plan in the first two years of the making of the Development Plan.

The main report sets out progress to date in compliance with this requirement and specifically reviews the progress being made in securing each objective contained within the

Development Plan. The executive summary is a synopsis of the progress to date. He stated that a full review and preparation of a new Development Plan will commence in Spring 2023 and will conclude on or before April 2025. Mr. Gourley then responded to queries from the members.

A number of members raised the issue of portions of land which had been zoned for residential use and which had not been developed. Members were of the view that the Council needs to address this issue urgently. A number of members queried the potential for de-zoning land where the landowner had not developed it for housing.

Mr. Hughes responded to the comments from members. He stated that the Planning Authority had sought legal advice on the matter and that there may be implications in terms of compensation if the Council de-zoned land during the lifetime of the Plan. The Office of the Planning Regulator will have an oversight on the implementation of all aspects of the Development Plan.

Mr. Hughes stated that specialist advice would be required to determine what factors were impeding the delivery of private housing in towns and villages in the county.

On the proposal of Cllr Gilliland, seconded by Cllr Campbell, it was agreed that the Council proceeds to seek specialist advice in progressing a Review of the County Development Plan with a view to determining impediments to the delivery of housing.

On the proposal of Cllr Conlon, seconded by Cllr Carthy, it was agreed that clarification be sought from the Office of the Planning Regulator seeking a determination on what outcome would occur arising from the Council having legal proceedings taken against it in the case of lands zoned for residential development being de-zoned following a review of the Plan, during the current lifetime of the Plan.

Adjournment of meeting:

As the time had reached 12.55 pm, it was agreed that consideration of the balance of the agenda would be adjourned to Monday 17th May at 11 am and that the meeting would be held in the Garage Theatre.

The meeting then concluded.

Signed: _____
Cathaoirleach

Meetings Administrator

Date: _____
