

**Minutes of Council Meeting held by Leitrim County Council  
In the Council Chamber, Áras an Chontae, Carrick on Shannon, Co. Leitrim on  
Monday 2<sup>nd</sup> March 2009**

**Members Present**

Brennan, Damian	McDermott, Sean
Bohan, Mary,	McElgunn, Liam
Colreavy, Michael	McGloin, Enda
Dolan, Frank	McGowan, Sean
Dolan, Gerry	O'Rourke, Paddy
Ellis, Caillian	McTernan, John
Ferguson, Tony	Mulligan, Thomas
Flynn, Aodh	Reynolds, Gerard
Guckian, Sinead	Stenson Enda
Hughes, Gordon	
Kenny, Martin	

*And Councillor Francis Gilmartin, Leas Cathaoirleach presiding*

**Apologies:** Jim Joe Shortt

**Officials Present:**

- Ms. J. Maguire, County Manager
- Mr Martin Dolan, Director of Services, Planning, Environment & Emergency Services
- Mr. J. Gilhooly, Director of Services, Community and Enterprise Development
- Mr John McGuinness, Director of Services, Infrastructure
- Ms Mary Quinn, Director of Housing & Corporate Services
- Mr Brian Kenny, Senior Engineer
- Mr Shay O'Connor, Senior Engineer
- Mr Ciaran Tracey, Senior Planner
- Mr Michael Gallagher, Senior Executive Engineer
- Mr Terry McGovern, Senior Executive Engineer
- Mr Darragh O'Boyle, Senior Executive Engineer
- Mr Michael Gunning, I.S. Project Leader
- Ms. A. McGovern, Meetings Administrator

At the outset of the meeting Councillor Mary Bohan welcomed Councillor Francis Gilmartin back in the Chamber following his recent surgery and she wished him a speedy recovery. This was supported by all the members. Councillor Gilmartin in turn thanked the members, staff and the local media for their support and good wishes over recent weeks.

**09/117**  
**2/03/09**    **Deimhniu Miontuairisci**

**Proposed by Councillor Enda Stenson, seconded by Councillor Mary Bohan  
AND UNANIMOUSLY RESOLVED;**

“That the Minutes of the Special Meeting of Leitrim County Council held in the Council Chamber, Áras An Chontae on Monday 26<sup>th</sup> January 2009, be adopted.”

***Proposed by Councillor Caillian Ellis, seconded by Councillor Liam McElgunn AND UNANIMOUSLY RESOLVED;***

“That the Minutes of the Meeting of Leitrim County Council held in the Council Chamber, Áras An Chontae on Monday, 2<sup>nd</sup> February 2009, be adopted.”

***Proposed by Councillor Sean McGowan, seconded by Councillor Damian Brennan AND UNANIMOUSLY RESOLVED;***

“That the Minutes of the South Leitrim Regional Roads Meeting held in the Council Chamber, Áras An Chontae on Tuesday, 17<sup>th</sup> February 2009, be adopted.”

***Proposed by Councillor Enda McGloin, seconded by Councillor Mary Bohan AND UNANIMOUSLY RESOLVED;***

“That the Minutes of the North Leitrim Regional Roads Meeting held in the Health Service Executive Offices, Manorhamilton on Wednesday, 18<sup>th</sup> February 2009, be adopted.”

**09/ 118**

**2/3/09 Adjournment of Meeting**

***Proposed by Councillor Francis Gilmartin, seconded by Councillor Enda McGloin AND UNANIMOUSLY AGREED;***

“That the Meeting be adjourned for fifteen minutes as a mark of respect to the late Mrs Eva Mooney, Drumshanbo, former member of Leitrim County Council.”

The Members and the County Manager paid tribute to the huge amount of work which Mrs. Mooney had done for her local community and for the county and expressed their condolences to the Mooney Family.

*Votes of sympathy were also expressed to the following;*

- Mrs Noeleen Mullen, Fenaghbeg, Ballinamore on the death of Manus Murphy.
- Mr & Mrs Michael Sharkey, Fenaghbeg, Ballinamore on the death of Joan McGovern.
- Johnny Keaveney & Family, McDermott Terrace, Manorhamilton on the death of Ellen Keaveney.
- Mr Micheal O’Dell & Family, Killaneen, Ballinamore and Mr John O’Dell & Family, Amorset, Manorhamilton on the death of Mick O’Dell.
- Ms Helen Gallagher, Killavoggy, Dromahaire, Co Leitrim on the death of John Joe Kelly.
- The McDonald Family, Shannagh, Mohill on the death of John McDonald.
- Dan & Bartley Keegan, Cloone, Carrick-on-Shannon on the death of Bridie Keegan.
- Tommy J. Clyne, St Patrick’s View, Mohill on the death of William J. Clyne.

- ❑ Bridie Whealan, Satrasaun, Gorvagh, Mohill on the death of Sonnie Whealan.
- ❑ Mrs Mary Dolan & Family, Russaun, Mullies, Manorhamilton on the death of Charlie Dolan.
- ❑ Mrs Mary Bridget Keegan, Glostermin, Foxfield, Fenagh, Ballinamore on the death of Hughie Keegan.
- ❑ Noel & Brendan McLoughlin, Fenaghbeg, Ballinamore on the death of Eileen McLoughlin.
- ❑ Mrs Mena Simpson & Family & Mrs Josephine McGowan & Family, Cloone, Kinlough on the death of Jimmy McSharry.
- ❑ Mrs Mena Simpson & Family & Mrs Josephine McGowan & Family, Cloone, Kinlough on the death of Dan McSharry.
- ❑ Mrs Paddy Smyth, High Street, Ballinamore, Co Leitrim on the death of Paddy Smyth.
- ❑ Mr John & Caroline Conefrey, Lisgillock, Ballinamore on the death of Turlough Conefrey.
- ❑ Mr Sean Cooney, Miltron, Carrigallen, Co Leitrim on the death of Michael Cooney.
- ❑ Mr Seamus Geheran, Corlona, Kilnagross P.O. Carrick-on-Shannon on the death of Mrs Ellie Jane Geheran.
- ❑ Mr Pdraig Mulvey, Foxfield, Aughnasheelin, Ballinamore on the death of Sadie Mulvey.
- ❑ Sean Reilly, Drumbreanless, Carrigallen, Co Leitrim on the death of Mrs Reilly.
- ❑ Peadar Reynolds, Knocklongford, Mohill, Co Leitrim on the death of Jim Reynolds.
- ❑ The Lenehan Family, Mullalgh, Aughamore, Carrick-on-Shannon on the death of Pdraig Lenehan.
- ❑ Geraldine & Michael Flynn, Drumbibe, Aughnasheelin, Ballinamore, Co Leitrim on the death of George Dixon.

**09/119**

**2/3/09     Report from the Audit Committee**

Report from Joseph McManus, Chairperson, Audit Committee, as circulated to the members, in relation to the Annual Report from the Audit Committee for 2008, in accordance with the provisions of Section 122 of the Local Government Act 2001, as amended by Section 5 of the Local Government (Business Improvement Districts) Act 2006 appears as **Appendix 1** to the minutes of this meeting.

The report as circulated was noted by the members.

***Proposed by Councillor Sinead Guckian, seconded by Councillor Gerard Reynolds AND UNANIMOUSLY RESOLVED;***

“That the Report from the Audit Committee for 2008 in accordance with the provisions of Section 122 of the Local Government Act 2001, as amended by Section 5 of the Local Government (Business Improvement Districts) Act 2006 be approved”.

Councillor Guckian, a member of the Audit Committee, outlined that the Committee had only been established in 2008 and has already covered a significant amount. She outlined that a more comprehensive report would be submitted in future years. She also acknowledged the support and assistance provided to the committee by the Council executive.

09/120

02/3/09 **Roadworks Scheme 2009**

The Roadworks Scheme 2009 as circulated to the Members appears as **Appendix 2** to the Minutes of the Meeting in the Minute Book.

***Proposed by Councillor Tony Ferguson, seconded by Councillor Mary Bohan AND UNANIMOUSLY RESOLVED;***

“That the Roadworks Scheme 2009 for Leitrim County Council be adopted”.

Councillor Mulligan asked if the entrance road to Lough Rynn from the Farnaught side would be included in the roadworks scheme. Mr. John McGuinness, Director of Services, Infrastructure confirmed that this road is included.

09/121

2/3/09 **Appointment of members of the Oireachtas and representatives of the Community & Voluntary Sector to the Leitrim Joint Policing Committee**

Report dated 24<sup>th</sup> February 2009 from Joseph Gilhooly, Director of Services, Community & Enterprise as circulated to the Members, appears as **Appendix 3** to the Minutes of the Meeting in the Minute Book.

Councillor Colreavy queried why there are 5 Oireachtas members nominated to the Joint Policing Committee when Leitrim has no TD from within the county. He suggested that Leitrim should have the option of co-opting non-Oireachtas members onto the committee. Mr. Joseph Gilhooly, Director of Services outlined the prescribed membership of the Joint Policing Committee as set out in the Department Guidelines. He confirmed that each Joint Policing Committee will have 5 Oireachtas Members and that special provision has been made in respect of representation on more than one Joint Policing Committee by Oireachtas members where circumstances require.

Councillor Brennan queried if the membership of the committee would be reviewed following the local elections. Mr. Gilhooly confirmed that the elected member nominees would be reviewed following the local elections.

***Proposed by Councillor Tony Ferguson, seconded by Councillor Mary Bohan AND UNANIMOUSLY RESOLVED;***

“That the following additional members be appointed to the Leitrim Joint Policing Committee in accordance with the provisions of Section 36 of the Garda Síochána Act 2005:

**Oireachtas Members:**

Senator John Ellis  
Denis Nuaghten, TD  
Frank Feighan TD  
Eamon Scanlon TD  
Senator Marc MacSharry

### **Community & Voluntary Sector:**

Gretta O'Neil,  
John McGirl  
Sean Gilligan”

It was further noted that the Garda Commissioner has appointed Chief Superintendent Kieran Kenny and Superintendent James Kearins to the Leitrim Joint Policing Committee in accordance with the provisions of Section 36 of the Garda Síochána Act 2005.

Mr. Joseph Gilhooly, Director of Services outlined that the Members needed to formally approve the establishment of the Leitrim Joint Policing Committee. He outlined that the appointment of replacement Leitrim County Council Elected Members to the Joint Policing Committee would be by resolution at a Council meeting. He outlined however that it is a matter for the members to determine the most appropriate method of appointment of future replacement Oireachtas and Community & Voluntary Sector members to the Joint Policing Committee.

***Proposed by Councillor Tony Ferguson, seconded by Councillor Damian Brennan and UNANIMOUSLY RESOLVED;***

“That the Leitrim Joint Policing Committee be established”.

***It was further Proposed by Councillor Mary Bohan, seconded by Councillor Damian Brennan AND UNANIMOUSLY RESOLVED;***

“That the Leitrim Joint Policing Committee has the authority to ratify the appointment of replacement Oireachtas and Community and Voluntary Sector members to the Joint Policing Committee”

**09/122**

### **2/3/09 Amendments to Leitrim County Council Policy on Taking in Charge of Housing Estates**

Report dated 24<sup>th</sup> February 2009 from Mr. Martin Dolan, Director of Services, Planning, Environment and Emergency Services as circulated to the Members, appears as **Appendix 4** to the Minutes of the Meeting in the Minute Book.

Mr. Dolan outlined that the Taking in Charge Policy had been reviewed on foot of concerns expressed by the members in relation to anomalies with regard to the open space provisions and the professional indemnity insurance requirements. He advised that the matters had been considered in detail by the Planning Policy SPC and gave an overview of the proposed amendments to the policy.

He outlined that the amendments are being recommended to the Council by the SPC and the Corporate Policy Group and that the revised Taking in Charge Policy, incorporating the amendments had been circulated to members.

Councillor McGloin welcomed the changes and in particular the changes in relation to the green areas. He outlined that he hoped that the issue of taking in charge would now be progressed across the county. Councillor Mulligan also welcomed the amendments to the Policy which he stated were a move in the right direction. This was reiterated by Councillor Stenson.

Councillor Reynolds also welcomed the amendments and queried how many applications have been made to have estates taken in charge and how many estates have actually been taken in charge. Mr. Dolan advised that applications are at various stages of processing in relation to 21 or 22 estates. He advised that the declaration of the roads as public roads is the first stage in the process and outlined that three estates are currently at this stage with the public consultation phase to run from 6<sup>th</sup> March to 3<sup>rd</sup> April 2009 followed by a period for submissions. He advised that a report in this regard would be brought to the May Council meeting. This was welcomed by the members.

Councillor McElgunn also welcomed the proposed amendments and the progress achieved in relation to taking in charge. Councillor Colreavy sought confirmation that there is nothing in the amendments to the policy that will make it more difficult for a Residents Association to get their estate taken in charge. Mr Martin Dolan, Director of Services confirmed that he could not foresee any difficulties for resident groups.

Councillor Flynn outlined concerns in relation to developers retaining ownership of green areas where road widening might subsequently be required and compensation would have to be paid to a developer. Mr. Dolan outlined that he did not envisage a difficulty in this regard and confirmed that each case would be dealt with on its own merits. Councillor McGloin outlined that most local estates have Residents Associations and many had concerns in relation to the Council retaining ownership of the green areas. He stated that it would be unlikely that the developer would retain ownership of the green areas.

Councillor Ferguson queried if the Council have the authority to ensure that there is a Management Company or Residents Association in place. He also suggested that the policy should be reviewed after a couple of years. Ms. Jackie Maguire, County Manager advised that the Council don't have authority unless there is a requirement for the establishment of a Management Company as part of the Planning Permission. She advised that the Council are reluctant to impose requirements in relation to Management Companies as these have proven problematic for residents in many instances.

Councillor Colreavy suggested that legal advice should be sought with regard to the provisions in relation to the green areas. He outlined that we do not want a situation whereby the Council has to pay for work we want done in an estate. Ms. Maguire confirmed that legal advice could be sought in this regard.

***Proposed by Councillor Enda McGloin, seconded by Councillor Thomas Mulligan AND UNANIMOUSLY RESOLVED;***

“That the proposed amendments to the Leitrim County Council Taking in Charge Policy in relation to Open Spaces – point ‘m’ of General Conditions - and Professional Indemnity Insurance Requirements - point ‘d’ of General Conditions – as outlined below be adopted:

### **Open Spaces**

Applicant shall, by appropriate legal instrument, dedicate the open space/s contained in the planning permission for Public Use. Copies of such dedication shall be lodged with the Planning Authority. Ownership of the said open spaces shall remain with the developer, or alternatively may be transferred to a formally established management company (of which the residents of the scheme shall have full membership) or a legally constituted Residents' Association (registered legal company) who have undertaken to maintain the open space on behalf of the residents and general public. All legal costs arising shall be the responsibility of the developer. It should be noted that after the taking in charge process has been completed future maintenance of the open space areas will not be the responsibility of Leitrim County Council. These open spaces will have to be maintained by either a management company or the residents group as referred to above. Written confirmation that the open spaces will be maintained will have to accompany the application form.

### **Professional Indemnity Insurance requirements**

In relation to point 1(d) of 'General Conditions'

1 to 10 Houses	€1.5 million
11 to 20 Houses	€1.5 million plus €100,000 per house in excess of 10
21 Houses and above	€2.6 million

And that the Taking in Charge Policy be amended accordingly“

**09/123**

**2/3/09 Commitments under Section 138(1) of the Local Government Act 2001**

Report dated 26<sup>th</sup> February 2009 from Mr. John McGuinness, Director of Services, Infrastructure in relation to the Local Improvement Scheme as circulated to the Members, appears as **Appendix 5** to the Minutes of the Meeting in the Minute Book.

Mr. McGuinness outlined that the allocation of €700,000 is similar to last year. He advised that it is not expected that any CLÁR funding will be provided in the current year. He outlined that it is recommended that the existing policy on Local Improvement Schemes as adopted by the Council on 4<sup>th</sup> March 2002 be continued. He advised that the current Council policy deems schemes ineligible where a grant was provided since 31/12/95. He advised that it is now suggested that this date be amended to 31/12/96. He confirmed that any scheme costing over €65,000 will come before the Council for approval. He advised that it is anticipated that twenty to twenty five schemes are likely to be approved in the current year having regard to the level of allocation available. He advised that it is not possible to indicate where these schemes will happen as it will be dependent on people taking up the scheme.

This was noted by the Members.

Councillor Flynn queried if the position remains that there must be one occupied house and 2 users of a road to qualify under the scheme. He asked if a dwelling would be taken into account where it is a holiday home. Mr. McGuinness confirmed that there must be one occupied dwelling served by the road in question. He advised that a dwelling that is not permanently occupied would not be considered in terms of eligibility of a road for consideration under the scheme.

Councillor Bohan welcomed the 2009 allocation under the Scheme which has been maintained at 2008 levels, as the scheme is such an important and valuable one in the Leitrim context.

**09/124**

**2/3/09**     **Quarterly Report on Capital Works**

□     **Housing**

Report from Director of Services, Housing and Corporate Services as circulated to the Members, appears as **Appendix 6** to the Minutes of the Meeting in the Minute book. The report as circulated was noted by the Members.

Councillor Bohan queried the expected completion date for the houses currently under construction in Drumkeerin. Mr Michael Gallagher, Senior Executive Engineer, Housing advised that it is expected that the dwellings will be completed in May 2009. Councillor Bohan outlined that it is important to ensure that housing is constructed to meet local needs rather than on the basis of available land banks. Ms. Jackie Maguire, County Manager advised that the Housing Programme will be based on the recently completed Assessment of Housing Needs.

Councillor Stenson queried if the Department has advised of the funding allocation for the Housing Grants Schemes for 2009. Ms. Mary Quinn, Director of Services, Housing & Corporate Services advised that it is expected that the allocation will be announced in the coming week. She advised that a batch of payments under the Grant Schemes is currently being processed. This was welcomed by Councillor Stenson.

Councillor Kenny referred to the new Housing Insulation Scheme and queried the position in relation to local authority housing. Ms. Quinn advised that no information has been received to date in this regard.

Councillor Reynolds queried when applications close for the newly introduced Long Term Leasing Scheme. Ms. Quinn advised that the Department had placed an advertisement nationally on foot of which a number of proposals have been received. She advised that Leitrim County Council will be placing a public notice in the Leitrim Observer in the current week with a closing date of the end of March. She advised that all submissions will be assessed but decisions will be based on meeting housing needs. She advised that the level of available funding will determine the level of leases to be entered into and outlined that all proposals must be approved by the Department.

Councillor McDermott queried whether the Council have a housing land bank available in Kiltyclogher, Rossinver and Glenfarne and if there were any proposals to purchase lands in these locations. Ms. Quinn confirmed that there are no remaining housing lands in these locations. She advised that there are no proposals to purchase lands in these locations and outlined that the Department priority in relation to housing provision is leasing and purchases rather than construction. Councillor McDermott outlined that areas like Kiltyclogher and Glenfarne had lost young people to bigger areas while tax incentives were available. He stated that the availability of a land bank is a serious issue that needs to be looked at carefully.

Councillor Colreavy outlined concerns in relation to the long term leasing scheme and the requirement for a minimum of 5 dwellings. He stated that the scheme is a pay-off to speculators. He outlined concerns relating to the fact that the local authority will not own the houses, tenants will not have a right to purchase and the scheme will have an impact on the Council's revenue and capital budgets. He queried whether the Council has any discretion in relation to the implementation of the scheme.

Ms. Mary Quinn, Director of Services advised that it will be possible to negotiate for a right to purchase at the end of the lease-term. She advised that the position was not clear in relation to what rights a tenant would have in terms of purchase at the end of the lease term. She advised that a specific allocation has been set aside nationally for the scheme in year 1 and the cost of leases will be a first call on the Housing Capital Allocation in subsequent years. She advised that a meeting is scheduled to take place with the Department tomorrow. She advised that a report in relation to the Housing Programme will be brought to the members at the April or May Council meeting. She advised that no construction projects will be approved by the Department without a detailed assessment of available properties in the area and that it will be extremely difficult to get approval for any construction projects.

Ms. Jackie Maguire, County Manager outlined that the issue is the level of vacant property throughout the country. She advised that the Council's land bank has been depleted and that in some areas where we have land we may not have the need at present. She advised that there is a significant level of housing demand in Carrick on Shannon. She advised that it would be a matter of 'nursing' the scheme along initially but outlined that the concept makes sense in the context of the level of vacant properties.

Councillor McGloin stated that the 'right-to-buy' issue is a critical one and to diminish this right would be a retrograde step. He accepted that it is difficult to see the Council buying land and building in the current circumstances. He outlined however that he would like to see a twin-track approach to include house purchases. He stated that it would be better to have the opportunity to buy houses and this approach would provide for more home ownership. He suggested that a detailed report should be presented to the next Council meeting.

Councillor Ferguson stated that he sees this scheme as another move in the Public Private Partnership area. He stated that the preference would be to see houses occupied rather than blocks of houses standing empty.

Councillor Kenny outlined that we are currently near the bottom of the market in terms of purchases and the situation may be very different in 20 years. He stated that a rent/purchase situation should be considered with properties to be purchased for a nominal sum at the end of the rental period. He stated that there is a huge issue in terms of equity in relation to the right to purchase and this must be addressed. He also outlined that people are anxious for the Council to purchase available dwellings.

Councillor Kenny also suggested that the Development Contribution Scheme should be reviewed with a view to significantly reducing the levies to encourage development in the county. Ms. Jackie Maguire, County Manager confirmed that the option is available to review the Development Contribution Scheme but advised that she would not be advocating such review at this time. She advised that the Scheme as set down is to fund those elements of infrastructure that the Council has and/or

wishes to put in place. She outlined that the Scheme as adopted includes a listing and costing in terms of the projects proposed. She stated that it is not possible to set the contributions at a very low figure. Councillor Kenny stated that if there is very little activity it would be better to reduce the contributions and he requested that a review be undertaken in the near future. Councillor Gilmartin outlined that the development contributions as set out in the Scheme as adopted by Leitrim County Council are amongst the lowest charges in the country and are significantly less than adjoining counties.

Councillor Brennan queried whether the leasing costs would be set at market value and stated that purchases rather than leases should be considered. He also queried whether the new leasing scheme would militate against the provision of rural houses. Ms. Quinn outlined that the guidelines on the leasing scheme suggest that a rate of approximately 20% off market rents should be negotiated on leases. She advised that the leases would be open to negotiation and would depend on the market conditions in the various locations. She advised that all house build projects will have to be assessed based on the housing stock available in the general area. She advised however that a strong case will be made in such cases. Councillor Brennan stated that the provision of rural houses to meet local need is a fundamental principal for Leitrim County Council and must be protected.

This was supported by Councillor Bohan who stated that the approach should be for short-term leases with a right to purchase. She outlined that the intention of the scheme overall is good but that the purchase issue is critical. She also stated that there should be some flexibility in relation to the 5 unit requirement, particularly for smaller towns and villages.

Councillor Flynn outlined that the level of money being paid out in rent supplement must be addressed.

Councillor McGloin outlined that he assumed the lease proposal is on the basis that there is insufficient funds available to the Exchequer to fund purchases. He suggested that a short term leasing scheme with an option to purchase, similar to a scheme implemented by a developer in Galway, should be considered.

Councillor Reynolds queried the amount of money being made available under the scheme nationally. Ms. Maguire, County Manager advised that €20million is being made available nationally for the scheme. Councillor Reynolds stated that there are some 2,200 vacant houses in the county and this is a huge issue going forward. He stated that it makes no sense to go out and buy land and build houses given this level of vacant property. Councillor Colreavy acknowledged this but stated that the terms and condition of the leasing scheme must be fair to taxpayers and the conditions for tenants of these properties must be as per tenants of regular Council houses.

Ms. Mary Quinn, Director of Services confirmed that the views of the members would be conveyed to the Department at the meeting with Department officials tomorrow.

## **Water Services**

Report from John McGuinness, Director of Services, Infrastructure as circulated to the Members, appears as **Appendix 7** to the Minutes of the Meeting in the Minute book. The report as circulated was noted by the Members.

Councillor McElgunn welcomed the scheduled signing of the contract for the Carrick-on-Shannon Sewerage Scheme.

Councillor Ellis queried when it would be possible for residents to connect to the Ardagh/Edentenny Sewerage scheme. Mr. John McGuinness, Director of Services, Infrastructure confirmed that it is anticipated that the scheme will be completed within two to three months.

#### □ **Roads**

Report from John McGuinness, Director of Services, Infrastructure as circulated to the Members, appears as **Appendix 8** to the Minutes of the Meeting in the Minute book. The report as circulated was noted by the Members.

Councillor McDermott sought clarification on how the €300,000 allocation from the N.R.A. for the N16 was going to be spent. Mr. Shay O'Connor, Senior Engineer, Roads confirmed that this would be used to conduct a topographical report and some preliminary design work for the Manorhamilton By Pass.

Councillor McElgunn welcomed the allocation from the NRA for the Dromod to Carrick-on-Shannon By Pass and that the Consultants have been appointed to carry out the route selection and preliminary design of the scheme. He queried how long this process would take and when the Carrick-on-Shannon Footbridge is expected to be completed. Mr. O'Connor advised that the route selection for the entire Carrick on Shannon to Dromod Scheme should be complete by end 2009. He advised that construction on the footbridge should commence in July/August with an anticipated completion date by year end.

#### □ **Other Capital Projects**

Report from Joseph Gilhooly, Director of Services, Community & Enterprise as circulated to the Members, appears as **Appendix 9** to the Minutes of the Meeting in the Minute book. The report as circulated was noted by the Members.

**09/125**

**2/3/09**      **Report from Corporate Policy Group**

Ms. Aideen McGovern, Meetings Administrator gave an overview of the issues considered by the Corporate Policy Group at their meeting:

#### **Strategic Policy Committee Update:**

She outlined that the Corporate Policy Group had considered updates from two Strategic Policy Committees – the Housing & Corporate Services SPC and the Planning Policy SPC.

#### *Housing & Corporate Services SPC:*

She outlined that the Housing & Corporate Services SPC at their meeting on 16<sup>th</sup> February 2009 had considered their work programme for the year up to the Local Elections. The SPC had also considered the Draft Estate Management Plan which

was approved for consultation with the Residents Network and other relevant agencies. A report on the consultation process will be brought to the next meeting of the SPC with a view to the Draft Plan being presented to the May council meeting for adoption. The SPC had also noted that the Cathaoirleach Awards Scheme is being amalgamated with the Council sponsored REHAB Awards in 2009 with a Special Cathaoireach's Award category to be included in the scheme.

The report as circulated to the members appears as **Appendix 10** to the Minutes of this Meeting in the Minute Book.

*Planning Policy SPC:*

Ms. McGovern outlined that the Planning Policy SPC had considered amendments to the Council's Taking in Charge Policy. This matter was listed on the agenda for the Council meeting for consideration.

**Items for Council Meeting**

The Corporate Policy Group had also considered an overview of items for the Council Meeting.

**A.O.B**

The Corporate Policy Group had also considered a request from the Border Regional Authority to attend the April Council meeting to give an overview on the Draft Regional Planning Guidelines. It was agreed that this presentation would be facilitated and that the matter would be taken at the start of the April Council meeting.

This update was noted by the members.

**09/126**

**2/3/09**

**Correspondence**

The following correspondence was circulated to the members:

1. Letter dated 9th February 2009 from Noel Dempsey T.D. Minister for Transport in relation to the withdrawal of the Bus Éireann Service from Drumsna.

Councillor Guckian referred to the ongoing correspondence with the Department of Transport in relation to the withdrawal of the bus service from Drumsna. She acknowledged the Rural Transport Programme which serves the village from the social perspective. She stated however that this is a very basic service and the main bus service has been removed with no consultation. Councillor Guckian expressed concern that a precedent has now been set for the withdrawal of bus services from other by-passed towns and villages in the County – for example Dromod and Rooskey which have recently been by-passed - and indeed across the country. She outlined that there is now no way of bringing tourists into the village. She outlined that this service had been in place for over 50 years and it is an absolute disgrace that the service has been removed. This was supported by Councillor McElgunn.

Councillor McGowan suggested that the Regional Manager of Bus Éireann should be invited to a future Council meeting to outline the company's thinking on this

issue. He outlined that he would have fears for Dromod and Rooskey down the road in this regard.

2. Email dated 16<sup>th</sup> February 2009 from Jim Penders in relation to a Drug Awareness Presentation taking place on the 19<sup>th</sup> March 2009 in Carrick-on-Shannon.
3. Email dated 6<sup>th</sup> February 2009 from the Department of the Environment, Heritage & Local Government in relation to the date of the 2009 European Parliament and Local Elections.
4. Circular No F08/09 dated 13<sup>th</sup> February 2009 from the Department of the Environment, Heritage and Local Government in relation to spending limits for Local Election Candidates.
5. Letter dated 19<sup>th</sup> February 2009 from Eamon Ó Cuív, T.D., Minister for Community, Rural and Gaeltacht Affairs in relation to increasing the number of places available on the Rural Social Scheme.

Councillor McDermott stated that he is very unhappy with the response received from Minister O'Cuív in this regard.

6. Letter dated 26<sup>th</sup> February 2009 from the Department of the Environment, Heritage and Local Government in relation to Pension Related deduction for Public Servants.
7. Letter dated 26<sup>th</sup> February 2009 from Monaghan Town Council in relation to Notices of Motions adopted at their February monthly meeting in relation to the rate of VAT in Northern Ireland.

Councillor Hughes called on the Members to support the Notices of Motion from Monaghan Town Council and requested that a letter issue to the Minister for Finance particularly in relation to the VAT rate and the issue of cross-border shopping.

This was supported by all the members.

8. Letter dated 23<sup>rd</sup> February 2009 from Minister Mary Harney, Department of Health & Children in relation to proposed community care facilities for Ballinamore.
9. Letter dated 25<sup>th</sup> February 2009 from the Tánaiste and the Office of the Minister for Enterprise, Trade and Employment in relation to the construction industry and safeguarding industrial employment.

**09/127**

**2/3/09**

**Conferences**

***Proposed by Councillor Tony Ferguson, seconded by Councillor Sinead Guckian AND UNANIMOUSLY RESOLVED;***

“That Leitrim County Council approves the attendance of Paschal Mooney at the Annual General Meeting of the Library Association of Ireland in Dublin on the 5<sup>th</sup> March 2009.”

***Proposed by Councillor Enda Stenson, seconded by Councillor Thomas Mulligan AND UNANIMOUSLY RESOLVED:***

“That Leitrim County Council approves the attendance of Councillor Damian Brennan, Councillor Gerry Dolan and Councillor Gordon Hughes at the Colmcille Winter School in Donegal on the 27<sup>th</sup> February 2009 to 1<sup>st</sup> March 2009.”

***Proposed by Councillor Sinead Guckian, seconded by Councillor Sean McGowan AND UNANIMOUSLY RESOLVED:***

“That Leitrim County Council approves the attendance of Councillor Liam McElgunn and Councillor Paddy O’Rourke at the Seminar on Women of 1916 in Wexford on the 21<sup>st</sup> February 2009.”

***Proposed by Councillor Sinead Guckian, seconded by Councillor Enda McGloin AND UNANIMOUSLY RESOLVED:***

“That Leitrim County Council approves the attendance of Councillor Tony Ferguson at the Western River Basin Advisory Council meeting on the 10<sup>th</sup> February 2009 in Oranmore, Co Galway.”

***Proposed by Councillor Francis Gilmartin,, seconded by Councillor Tony Ferguson AND UNANIMOUSLY RESOLVED:***

“That Leitrim County Council approves the attendance of Councillor Francis Gilmartin at the 17<sup>th</sup> Annual Kerry Environmental Recognition Conference in Kerry on the 4<sup>th</sup> to 8<sup>th</sup> March 2009.”

***Proposed by Councillor Sean McDermott, seconded by Councillor Frank Dolan AND UNANIMOUSLY RESOLVED:***

“That Leitrim County Council approves the attendance of Councillor Sean McDermott at the 17<sup>th</sup> Annual Kerry Environmental Recognition Conference in Kerry on the 4<sup>th</sup> to 8<sup>th</sup> March 2009.”

***Proposed by Councillor Tony Ferguson, seconded by Councillor Francis Gilmartin AND UNANIMOUSLY RESOLVED:***

That Leitrim County Council approves of the following

- Attendance of Councillor Sean McGowan and Councillor Enda Stenson at the Merriman Winter School in Galway City on the 6<sup>th</sup> February to 8<sup>th</sup> February 2009.
- Attendance of Councillor Gerard Reynolds at the Effective Communications Seminar in Waterford on the 30<sup>th</sup> January 2009 to 1<sup>st</sup> February 2009.
- Attendance of Councillor Caillian Ellis at the conference on “Women 1916” held in Enniscorthy, Co Wexford on the 21<sup>st</sup> February 2009.

- Attendance of Councillor Frank Dolan at the Shannon River Basin District Advisory Council meeting held on the 22<sup>nd</sup> January 2009 in Ballymahon, Co Longford.
- Attendance of Councillor Paddy O'Rourke at the Failte Ireland North West 09 Review held on the 22<sup>nd</sup> January 2009 in Sligo.
- Attendance of Councillor Liam McElgunn at the 17<sup>th</sup> Annual 2009 Kerry Environmental Recognition Conference in Ballybunion on the 4<sup>th</sup> March to 8<sup>th</sup> March 2009.
- Attendance of Councillor Mary Bohan at the Leitrim Association Dinner Dance in London on the 28<sup>th</sup> February 2009 and at the St. Patrick's Day Celebrations in New York in March 2009.
- Attendance of Councillor Caillian Ellis at an ICBAN meeting held on the 18<sup>th</sup> February 2009 in Enniskillen.

***Proposed by Councillor Enda McGloin, seconded by Councillor Gordon Hughes AND UNANIMOUSLY RESOLVED:***

"That Leitrim County Council approves the attendance of Councillor Enda McGloin at the Election 2009 Training Seminar in Dublin on the 25<sup>th</sup> to 27<sup>th</sup> February 2009."

### **Part 1 – Notices of Motions**

**09/128**

**2/3/09**

#### **Rural Social Scheme**

***To consider the following Notice of Motion submitted by Councillor Caillian Ellis;***

"That the Government provide extra places on the Rural Social Scheme and Community Employment Scheme to facilitate people who have become unemployed."

Councillor Ellis outlined the background to his motion. He outlined that a lot of people in their mid-50's are being laid off and have no realistic prospect of work. He requested that a further letter issue to Minister O'Cuiv requesting that he have discussions with the Minister for Social & Family Affairs with a view to seeing if money could be transferred from Social Welfare to the Rural Social Scheme and the Community Employment Scheme. He outlined that the schemes have done tremendous work all over the country. He requested that a letter also issue to Minister Mary Hanafin in the Department of Social and Family Affairs in this regard.

This was supported by all the members.

***Proposed by Councillor Caillian Ellis, seconded by Councillor Gordon Hughes AND UNANIMOUSLY RESOLVED:***

"That Leitrim County Council write to Minister Eamon O'Cuiv, Minister for

Community, Rural and Gaeltacht Affairs and to Minister Mary Hanafin, Minister for Social and Family Affairs requesting the provision of extra places on the Rural Social Scheme and Community Employment Scheme to facilitate people who have become unemployed."

09/129

2/3/09

**Childcare Subvention Scheme**

***To consider the following Notice of Motion submitted by Councillor Michael Colreavy;***

"Leitrim County Council calls on the Minister for Social, Community & Family Affairs to revise the recently introduced Childcare Subvention scheme as follows:

- (1) To permit quarterly rather than annual submission of claims for subvention adjustment, and
- (2) To base fees estimates on rural average wage rates for community childcare facilities in rural areas

Rationale: 1) Annual adjustment is much too infrequent for facilities struggling to survive financially from month-to-month; quarterly adjustment would be more responsive to changes and would leave them with some hope of financial survival

(2) 400 of the 600 community childcare facilities are in Dublin, Cork, Limerick, Galway and other cities. Average income is demonstrably higher in cities than in rural areas. Equity demands that rural average (rather than national average) incomes should be used when calculating fees / subventions"

Councillor Colreavy outlined that the national average is very different to the rural average and the rural average income must be used in calculating fees/subventions. He also stated that it would give facilities a fighting chance if they were allowed to submit claims for subvention adjustment on a quarterly basis.

***Proposed by Councillor Michael Colreavy, seconded by Councillor Martin Kenny AND UNANIMOUSLY RESOLVED:***

" That Leitrim County Council write to the Minister for Social, Community & Family Affairs to revise the recently introduced Childcare Subvention scheme as follows:

- (1) To permit quarterly rather than annual submission of claims for subvention adjustment, and
- (2) To base fees estimates on rural average wage rates for community childcare facilities in rural areas

Rationale: 1) Annual adjustment is much too infrequent for facilities struggling to survive financially from month-to-month; quarterly adjustment would be more responsive to changes and would leave them with some hope of financial survival

- (2) 400 of the 600 community childcare facilities are in Dublin, Cork, Limerick, Galway and other cities. Average income is demonstrably higher in cities than in rural areas. Equity demands that rural average

(rather than national average) incomes should be used when calculating fees / subventions".

09/130

2/3/09 **Public Telephone Kiosks**

***To consider the following Notice of Motion submitted by Councillor Gordon Hughes;***

"I call on Leitrim County Council to immediately write to Eircom's regional payphone manager requesting that they reverse their decision to remove public telephone kiosks in the town of Ballinamore and the villages of Fenagh and Newtowngore. These payphones provide an important service for people living in these areas."

***Report by Senior Planner, Planning***

"The planning department is co-ordinating a response regarding the proposal by Eircom to remove numbers of telephones from different locations throughout the county. The reports being prepared by the area Planners is taking all comments from the local representatives into account."

Councillor Hughes outlined the importance of maintaining these kiosks. He outlined that these areas are already disadvantaged in terms of telecoms infrastructure and that many people, particularly older people, do not have or want a mobile phone. He called on the Planning Authority to draft a letter to Eircom outlining the Council's vehement opposition to the withdrawal of any of these phone boxes.

Councillor Ellis supported the motion and outlined that Fenagh Development is most anxious that this phone box would be left in place. He outlined that this is an old-style phone box which has been mentioned in Tidy Town Reports etc.

Councillor Kenny also supported the motion. He outlined that many non-nationals use the phone boxes extensively. He also outlined that Eircom needs to address the maintenance of their telephone pole infrastructure.

Councillor Enda McGloin also supported the motion. He outlined that there are parts of the county which don't have mobile phone coverage. He stated that there should be a report to the Council from Eircom in relation to this matter. Councillor McDermott emphasized that there are a lot of areas, particularly in North Leitrim where mobile phone coverage is very poor.

Councillor McGowan stated that Eircom propose to remove more phone boxes than those mentioned in the motion. He accepted that the use of phone boxes has dropped. He outlined however that it is important that they would be retained in certain areas. He stated that the proposal to remove 3 phone boxes in Mohill is unacceptable and the retention of one of these phone boxes should be sought.

Councillor Guckian also supported the motion. She outlined that Eircom have yet to complete works to the phone box in Drumsna following pavement improvement works in the village. She stated that Eircom must ensure that where telephone kiosks are removed that these areas are addressed to ensure that they are safe and level with footpaths etc.

Councillor Colreavy asked if an amendment could be added to this motion to include that Manorhamilton, Kiltyclogher and Glenade would be provided with telephone kiosks. Councillor Hughes agreed to this amendment.

All the members supported the motion.

***Proposed by Councillor Gordon Hughes, seconded by Councillor Caillian Ellis AND UNANIMOUSLY RESOLVED:***

"That Leitrim County Council immediately write to Eircom's regional payphone manager requesting that they reverse their decision to remove public telephone kiosks in the town of Ballinamore and the villages of Fenagh and Newtowngore. These payphones provide an important service for people living in these areas. Leitrim County Council also requests that the areas of Manorhamilton, Kiltyclogher and Glenade be provided with telephone kiosks".

***09/131***

***2/3/09 Single House Planning Applications in the Manorhamilton Electoral Area***

***To consider the following Notice of Motion submitted by Councillor Tony Ferguson;***

"I will ask the Director of Services, to list the single house applications in the Manorhamilton Electoral Area which have been refused in the past 5 years and to indicate how we can assist these applicants who wish to provide homes for their families in the area. This will ensure that we are complying with the main thrust of our County Development Plan in maintaining population, creating jobs and strengthening the rural community."

***Report by Director of Service, Planning, Environment and Emergency Services***

"Analysis of decisions made on planning applications for Single Dwellings in the Manorhamilton Electoral Area, between 2004 and 2008 show that planning permission was granted for 470 rural houses and permission was refused in the case of 136 applications. 20 of these refusals were on sites where permission had previously been refused. This leaves a gross total of 116 sites on which permission was refused. It is also noted that in 19 cases, permission was subsequently granted where the applicants were in a position to carry out improvements to the overall application so as to address the reasons for refusal in the first instance. It can therefore be seen that 16.4% approx. of sites, which were refused permission, were subsequently granted planning permission, thus leaving a net total of 97 sites of refused sites over the five year period in question. In all instances, the Planning Authority acted on the basis of presumption in favour of the applicant as per the County Development Plan, whilst at the same time it had to consider environmental factors, sight distance issues and good planning principles.

An analysis is ongoing of developments for which have been permitted in recent years to establish the numbers that remain uncommenced. The initial findings for the Manorhamilton Electoral Area show that work has not yet commenced on 55 rural house sites on which permission was granted in 2004 and 2005. On the assumption that the survey will show substantial numbers of permissions granted in the years 2006, 2007 and 2008 which have not yet commenced, I am satisfied that the

construction of those houses together with the occupancy of the many rural houses which still remain vacant in the area will meet the needs of the vast majority of those who wish to live in the rural area and who have been unable to obtain planning permission on the sites that they put forward. This will provide for the maintenance of population levels and strengthening the rural community as envisaged in the County Development Plan. While it is accepted that there is a number who may not achieve their wish to build on their own lands, it should be possible to find a permitted site or a site that is capable of grant of permission within reasonable distance from their landholdings.

The Council should encourage the uptake of these permissions in the first instance and subsequently seek to have the completed, but unoccupied, houses occupied.

Many of the 96 sites on which a decision to refuse was made are on ones which are inherently unsuitable for housing development, based on poor ground conditions and inadequate sight lines, and not just on policy grounds. Applicants should be encouraged, as stated above to seek sites which already have planning permission, take up completed, but unoccupied, houses in the area, or seek alternately more suitable sites in areas which have been identified as being of High Capacity / High Availability within the recently adopted County Development Plan, which came into effect on the 23rd February 2009."

Councillor Feguson requested that the Planning Staff re-look at all of these refusals and suggested that these applicants should come back to the Council to discuss their application further. He stated that it is not an option for someone with a site available on the family landholding to seek a site within a reasonable distance. He stated that landowners and farmers sons and daughters want to live on their own landholding. He stated that this issue must be looked at and that the Council has a duty, in compliance with the County Development Plan to maintain population, creating and sustaining employment and strengthening the rural community. He stated that with the downturn in planning activity planning staff should now be in a position to provide much more assistance to applicants and to facilitate on-site pre planning meetings as necessary. He stated that nobody wants to pollute watercourses or cause a traffic hazard and requirements must be met in this regard but he stated that much more must be done by the Planning Authority to support development in rural areas.

This was supported by all the members.

**09/132**

**2/3/09      Pension Levy**

***To consider the following Notice of Motion submitted by Councillor Enda Stenson;***

"I am calling on members to fully support all public servants, in their quest to have the unjust Pensions Levy which is imposed on them rescinded for all who earn less than 50,000 euro per year. Workers on this wage and in some cases a lot less can ill afford those savage cuts in their take home pay. A County like Leitrim with no major industrial work base depend greatly on the public service for both employment and wages. As Local representatives we depend on public servants employed by this local authority to help us in our day to day work on behalf of the people who elect us. Let us now show them solidarity and demand change."

Councillor Stenson stated that the pension levy requires review. He stated that the levy is unjust and must be reviewed. He outlined that the levy also applies to the members' representational payment even though the members are not entitled to a pension and as such it is not in fact a 'pension levy'. He called on all the members to support the motion.

Councillor Flynn outlined that there is a lot of comment about the levy and the suggestion that a tax increase should be introduced in lieu of the levy. He outlined that he is seeing the impact of the recession on a daily basis and the significant hardship that people are experiencing. He queried what alternative to the levy is available and outlined that he would not like to see an increase in taxation.

The motion was unanimously supported by all the members.

**09/133**

**2/3/09 Farm Waste Management Grants**

The Acting Cathaoirleach, Councillor Francis Gilmartin outlined that there were a number of Motions in relation to the issue of Farm Waste Management Grants – Motion Number's 18, 19, 21, 24 and 26 on the agenda for this Council meeting. He suggested that all of the motions would be considered together. This was agreed by the members.

***To consider the following Notice of Motion submitted by Councillor Sean McDermott;***

"Leitrim County Council calls on the Minister for Agriculture to reverse his decision not to pay in full this year the farm waste management grants. This decision is an abject failure on behalf of the Minister and in effect he is breaking his word to over 17,000 farmers across this Country and to 700 farmers in this County who are owed 23m euros. Some of these same farmers are already owed substantial monies from Reps 4. A typical farmer who owed €50,000 in grant aid is paying up to €310 a month in interest."

***To consider the following Notice of Motion submitted by Councillor Frank Dolan;***

"I ask that this Council call on the Minister for Agriculture to at least pay the interest on farmers loans if the grants are going to be paid by instalments."

***To consider the following Notice of Motion submitted by Councillor Gerry Dolan;***

"I call on Leitrim County Council to demand the Minister for Agriculture, Mr Brendan Smith to pay all farmers their waste management grants without delay. There were notices of motions put forward by this Council before Christmas 2008 for an extension date for completion of such works, but denied. All farmers honoured their end of deadline, so let Mr Smith honour his part of the agreement."

***To consider the following Notice of Motion submitted by Councillor Paddy O'Rourke;***

"I call upon Leitrim County Council to support a call on the Government to broker a deal with lending institutions from whom farmers have money borrowed for projects under the Farm Waste Management Scheme to freeze the interest accruing on these loans until the final payment is drawn down, in the absence of the payment being made as originally promised."

***To consider the following Notice of Motion submitted by Councillor Martin Kenny;***

"I am proposing that Leitrim County Council write to Minister Brendan Smith TD imploring him to reverse the decision to defer the payment of grants, due in full, now to farmers under the Farm Waste Management Scheme."

***To consider the following Notice of Motion submitted by Councillor Francis Gilmartin;***

"I call upon Leitrim County Council to contact the Minister for Agriculture, Mr Brendan Smith to see if he could reverse the decision of not paying the farm waste management grants, the way it was in the agreement. All farmers have to comply with all rules and had to have their sheds finished by 31st December 2008. A lot of farmers in my area lifted bridging loans believing that agreement re grant would be honored. It will put some farmers in financial difficulties if this agreement is not honored; also a lot of farmers have paid their reps advisor a lot of money for new plans for reps 4. Money promised in autumn 2008 it is now spring 2009. If we could find out when this money could be paid. If our farmers start going to the wall then this country is really finished."

The Members were unanimous in calling on Minister Smith to reverse his decision to defer the payment of grants due in full to farmers under the Farm Waste Management Scheme. It was agreed that the Meetings Administrator should combine the content of the individual motions into a letter to issue to the Minister in relation to this matter.

***09/134***

***2/3/09     Safety Measures on local bridges***

***To consider the following Notice of Motion submitted by Councillor Enda McGloin;***

"I call on Leitrim County Council to consider putting in place some safety measures on local bridges in the Kilclare/Drumshanbo area especially on the R-209/208 route. Some of these bridges are very narrow for two vehicles passing especially HGVs. I ask that the Council identify the dangerous narrow bridges in the area and report back to the Council. I ask the Council to consider erecting safety signs and luminous reflector bands each side of these bridges to warn motorists."

***Report by Director of Service, Infrastructure***

"We will assess the bridges along this route and report back to the council at the April meeting."

Councillor McGloin welcomed that a report is to be presented to the April Council meeting. He emphasized that there are a number of bridges which were built before there were articulated trucks and these bridges are very narrow for two vehicles passing, especially HGVs. He acknowledged that the cost of widening these bridges would be prohibitive but stated that adequate warning must be given to motorists.

Councillor Gilmartin supported the motion and thanked the Area Office for the provision of signage and lining at Kilclare Bridge. Councillor Gerry Dolan also supported the motion and complimented the staff of Leitrim County Council for the works done on the Aughagrania Bridge.

**09/135**

**2/3/09 Replacement of Aluminium and Hardwood windows and doors**

***To consider the following Notice of Motion submitted by Councillor Sean McGowan;***

"At the March meeting of Leitrim County Council I will again ask the County Manager to include the replacement of Aluminium and Hardwood windows and doors under the Housing Aid for Older People Scheme, as the majority do not comply with the current building regulations, and in the case of fire breaking out older people in particular would be in great danger."

***Report by Director of Service, Corporate Services & Housing***

"The purpose of the Housing Aid for Older People Grant Scheme is to assist older people living in poor housing conditions to have necessary repairs or improvements carried out. The conditions of the scheme provide that applications for the Housing Aid for Older People Scheme shall be prioritised on the basis of medical need and on the urgency and necessity of the identified works.

The Building Regulations apply to houses constructed post the implementation of the relevant Building Regulation. Leitrim County Council in the administration of the Housing Aid for the Elderly Scheme completes a technical inspection of each dwelling. In cases where houses have aluminium or hardwood windows and these are deemed to be in good structural condition, their replacement would not be grant aided in accordance with the terms of the scheme. A similar approach applies under the Council's own Preventative Maintenance Programme whereby the replacement of single glazed and hardwood windows in good structural condition in local authority owned dwellings are not prioritised.

Given current budgetary constraints and ongoing difficulties in meeting the substantial existing commitments under the various Housing Grant Schemes the type of works approved under this Scheme cannot be extended."

Councillor McGowan outlined that he was disappointed with the response. He asked that the County Manager and the Director of Services, Housing and Corporate Services consider grant aid in cases where windows are in a poor state of repair.

09/136

2/3/09 Central Park, Carrick-on-Shannon

**To consider the following Notice of Motion submitted by Councillor Liam McElgunn;**

"I ask Leitrim County Council to enter into discussion with the owners of Central Park, Carrick-on-Shannon with a view to developing parking spaces in this area. I raised this issue with the Transportation S.P.C. over a year ago."

**Report by Director of Service, Infrastructure**

"Leitrim County Council have had discussions with the owners of Central Park and while they are willing to make the area available to the council on a temporary basis pending some development on the site, the cost associated with developing a carpark at this location could not be justified because of its short term nature and in any event the area is well served by a number of under utilized public car parks as well as a other private car parks."

Councillor McElgunn queried when discussions took place with the owners and asked that further discussions take place. He outlined that the provision of a car park at this location need not be short term and the Council could take a 5-10 year lease. He queried which car parks in the town are under-utilised and asked if they are well signposted. Mr. John McGuinness, Director of Services, Infrastructure advised that the public carparks referred to are St. Mary's Close and the Quay both of which are well signposted.

Ms. Jackie Maguire, County Manager outlined that the meeting with the owners of Central Park had taken place some time ago. She advised that the Council had subsequently met with the Chamber of Commerce and had progressed other issues which had been put forward by the Chamber. She advised that a further meeting is scheduled with the Chamber of Commerce for tomorrow. She outlined the issues in relation to the amount of money which would be involved in developing the area as a temporary car park. She outlined that car parking may not be the actual issue. Councillor McElgunn welcomed the forthcoming meeting with the Chamber of Commerce and asked that the Council work with the Chamber as best we can to alleviate the issues.

09/137

2/3/09 Temporary Outdoor Staff

**To consider the following Notice of Motion submitted by Councillor John McTernan;**

"I ask Leitrim County Council if temporary outdoor staff will be taken back this year by Leitrim County Council."

**Report by Director of Service, Infrastructure**

"In light of the budget constraints and the allocation available to the Areas this year, it is unlikely that we will be in a position to employ any temporary outdoor staff. When the Works Programme is adopted and the projects programmed it may identify some skills shortage which may require the employment of temporary staff for short durations."

Councillor McTernan referred to the 1% increase in the Roads Allocation for 2009 and asked if all of the projects included in the 2008 Road Works Programme have been completed. He queried if the Council can take some of the temporary roads staff back. He stated, given the increasing numbers of unemployed, that the Council must take a lead in creating employment.

Mr. John McGuinness, Director of Services, Infrastructure confirmed that the Regional and Local Roads allocation had increased. He outlined however that the Local Roads fund has decreased by €0.5m. He also outlined that in the Manorhamilton Area the funding for the N16 is reduced by €1.5m. He stated that these reductions in funding have serious implications. He outlined that the Development Contribution Programme was a 2 year programme and some projects were held over to 2009 to allow us to maintain the existing permanent staff. He advised however that in light of the budget constraints and the allocation available to the engineering areas in the current year it is very unlikely that Leitrim County Council will be in a position to employ any temporary outdoor staff. He outlined that when the Road Works Programme projects are programmed it may identify some skills shortage which may require the employment of a small number of temporary staff for short term contracts.

Councillor Flynn queried whether savings had been achieved on the Machinery Tenders. Mr. McGuinness outlined that these are annual tenders. He outlined that discussions have taken place with suppliers in relation to discounts. He advised that the Council will be re-tendering for a number of services. He outlined that we are seeking to achieve savings in every aspect of our business.

Councillor O'Rourke outlined that prices which were relevant last September could no longer be relevant and must be reviewed with the possibility of facilitating additional works from the allocation available. He also outlined that there are lots of jobs that could be done which would be labour only works. Mr. McGuinness confirmed that work had been ongoing over recent months on negotiating reductions. He advised that these discussions had been less successful than anticipated and the Council is now going back to the market in the interests of achieving value for money.

Councillor Colreavy suggested that Leitrim County Council join up with other local authorities to achieve savings in supplies. Mr. McGuinness outlined that economies of scale don't really apply re machinery charges. In relation to materials he outlined that the requirement for delivery to specified locations mitigates against better prices. He advised that this approach is being looked at for chemicals for treatment plants etc and discussions have taken place with adjoining counties in this regard.

Councillor Kenny stated that people have been employed by Leitrim County Council on temporary contracts for the last 45 years and they depend on this work. He stated that the Council has a primary role to provide as much employment as possible. He stated that a case must be made to the Department that Leitrim county Council needs and must have a number of part-time staff for a period of a number of months. He stated that he didn't see any reason why pressure should not be put on the Department in this regard.

Councillor Mulligan supported the motion. In relation to the plant hire and machinery hire he outlined that it would be remiss not to consider the perspective of the

contractor. He outlined that some of these contractors are significant employers in the county and have some case to maintain their prices. He outlined however that he appreciated the restrictions in this regard.

**09/138**  
**2/3/09 Shannagh Road to Rowley's Junction**

**To consider the following Notice of Motion submitted by Councillor Thomas Mulligan;**

"That the recent good work carried out in the area of the church and schools be continued out the Shannagh road to Rowleys junction and the provision of adequate public lighting."

**Report by Director of Service, Infrastructure**

"The priority is to complete works in the vicinity of the new schools prior to opening of these new facilities. Further works such as those requested can then be considered subject to the availability of funding."

Councillor Mulligan welcomed the works carried out in the vicinity of the new Mohill School. He outlined that this is a high priority local road serving 3 housing estates and 10 one-off houses. He stated that it is important that works are continued in the coming year and called for the provision of adequate public lighting.

Councillor Stenson supported the motion and also welcomed the recent works in the vicinity of the new school. He queried whether all of the funding allocated had been expended on the works completed to date. Councillor McGowan also supported the motion and welcomed the works undertaken.

Mr. John McGuinness, Director of Services, Infrastructure acknowledged the compliments in relation to the works carried out. He confirmed that a balance of funding is available to make a start on the additional works.

**09/139**  
**2/3/09 E.S.B. Charge for new householders who do not have a bank Account**

**To consider the following Notice of Motion submitted by Councillor Aodh Flynn;**

"This Council calls on the E.S.B. to remove the charge of €300 placed on new householders who do not have a bank account."

Councillor Flynn outlined that this issue had recently come to his attention. He stated that this is an enormous additional charge on householders who do not have a bank account, many of whom are on low incomes. He requested that a letter issue in this regard to the ESB and to the Minister for Communications, Energy and Natural Resources.

This was supported by the members.

**Proposed by Councillor Flynn, seconded by Councillor Mary Bohan and**

***UNANIMOUSLY RESOLVED;***

"That this Council calls on the E.S.B. to remove the charge of €300 placed on new householders who do not have a bank account and that a letter also issue to the Minister for Communications, Energy and Natural Resources in this regard."

***Part II - Questions.***

***09/140***

***2/3/09 Water Mains at Gowel and Kilnagross***

***To consider the following Question submitted by Councillor Gerry Reynolds;***

"I ask the Director of Services, Infrastructure what is the timeframe for the completion of the work on the water mains at Gowel and Kilnagross. How much was the total contract for, how much of that total has been provided for the restoration of the roads in the area."

***Report by Director of Service, Infrastructure***

"The contract sum for this scheme is 2.4m euro. There is provision in the contract for the restoration of the local roads to the cost of 300, 000 euro which work will be carried out by Leitrim County Council as nominated subcontractor. Work is 75% completed overall with the critical section of Mong to Kilnagross being completed in the next 4 weeks."

***09/141***

***2/3/09 Oak Drive, Drummagh, Carrick-on-Shannon***

***To consider the following Question submitted by Councillor Gerry Reynolds;***

"To ask the Director of Services, Infrastructure if Leitrim County Council will provide funding for maintenance of Oak Drive, Drummagh, Carrick on Shannon. The green area has been maintained by the residents, from their own funds, for some years now but since the Council carried out work in recent times the area is much larger and it is outside of their capacity to maintain."

***Report by Director of Service, Infrastructure***

"Agreement has been reached with the residents association regarding the maintenance of the green area."

***09/142***

***2/3/09 R280 at McGuire's gate area of Gortinar***

***To consider the following Question submitted by Councillor Michael Colreavy;***

"When will the bad corner on R280 at McGuire's gate area of Gortinar be made safe? While it would be a very expensive job to take out the corner, a lorry load of rough chip would help make the existing corner less dangerous. Several vehicles have gone off the road at this spot; most recently last week when two vehicles left the road

within an hour of each other. I have raised the safety of this bad bend on several occasions in past years."

***Report by Director of Service, Infrastructure***

"The section of R280 in question, just North of the Mullies junction, was already surface-dressed in recent years. I am informed that the off-road incidents occurred due to black ice on the road in the recent spell of very frosty weather. The condition of this road will be kept under review."

**09/143**

**2/3/09 Higher Education Grants Scheme**

***To consider the following Question submitted by Councillor Michael Colreavy;***

"Have the rules governing eligibility for student third level grants - in particular the requirement to base decision on previous financial year's income - been revised and made more flexible to reflect the current economic crisis with sudden job losses and income reductions?"

***Report by Director of Service, Corporate Services & Housing***

"The terms and conditions of the Higher Education Grants Scheme are determined by the Department of Education and Science and issued to Local Authorities for administration. No changes regarding the rules for eligibility have been made to the scheme which issued in July 2008."

**09/144**

**2/3/09 Canal Road LS 73810 between Drumleague and Battlebridge**

***To consider the following Question submitted by Councillor Enda McGloin;***

"Can I highlight the danger to motor vehicles along the Canal road LS-73810 between Drumleague and Battlebridge. There is no protection whatsoever along this road, only at points where there are some trees and bushes. Can this council and Waterways Ireland sit down and work out some compromise and provide protection barriers before there is a serious accident. I am particularly concerned at the area where the Drumleague road meets the Canal road which is at the end of a steep hill, I am appealing for action here!"

***Report by Director of Service, Infrastructure***

"An assessment of safety measures required along this section of road will be carried out and an estimate of the cost prepared. The findings of this assessment will be relayed back to the member. Funding for a scheme of this type would normally be carried out under the Low cost safety Programme. Consideration could be given to including this scheme in the 2010 programme, subject to funding been made available. The matter will also be raised with Water Ways Ireland who have in the past contributed towards the cost of similar works."

**09/145**

**2/3/09 Upgrade of Water Schemes in Ballinaglera**

***To consider the following Question submitted by Councillor Enda McGloin;***

"Following the recent dig up of roads in connection with the upgrade of water schemes in the Ballinaglera area can Leitrim County Council give me a commitment that over the next 2 - 3 months roads that have been destroyed by this work be identified quickly and properly repaired. I want to highlight in particular the 'Laghey Road and the road leading to Terry Gilrane's house. A number of the roads I have highlighted in previous motions."

***Report by Director of Service, Infrastructure***

"A large contract to replace the entire water distribution network in the Ballinaglera area has commenced in the last week. Leitrim County Council will be working closely with the Contractor for the scheme to have roads repaired following completion of works on each road."

**09/146**

**2/3/09**     **Resurfacing in Carrigallen**

***To consider the following Question submitted by Councillor Gordon Hughes;***

"To ask the District Engineer if the council will resurface the roadway beside Carrigallen mart as a matter of urgency. This stretch of regional road is in a very poor state of repair and needs immediate resurfacing before it deteriorates any further."

***Report by Director of Service, Infrastructure***

"This section of the regional road R204 is programmed to receive a road restoration grant this year. Proprietary drainage works will be carried out immediately with road reconstruction works to follow in the summer months."

**09/147**

**2/3/09**     **Sight Distance Improvements,**

***To consider the following Question submitted by Councillor Gordon Hughes;***

"To ask the District Engineer if they will carry out necessary works to improve sight visibility at the junction of Corramahon, Aughawillan (R199-10) with the main Ballinamore/Newtowngore road. Visibility of on-coming traffic along this busy stretch of road is particularly poor and needs to be improved before a serious accident occurs."

***Report by Director of Service, Infrastructure***

"There is a surface dressing to be applied to this section of the regional road R199, which will be carried out this summer. We hope to re-line the regional road carriageway adjacent this junction to incorporate a hard shoulder yellow line which will allow easier access onto the main regional road from the local road, LP1337. We will also be erecting appropriate signage for this junction. The local primary road leading to Corramahon is also receiving a surfacing grant which will be constructed in the summertime."

**09/148**

**2/3/09**     **Electricity Provider for the Council**

***To consider the following Question submitted by Councillor Tony Ferguson;***

"I ask the County Manager to inform the Council is the electricity provider for the Council a firm giving Renewable Energy or is it the E.S.B?"

***Report by Director of Service, Corporate Services & Housing***

"Energia is the Councils main Electricity supplier. Energia supplies green electricity (Renewable Energy) from a range of windfarm contracts, in addition to the conventional supply from Viridians two major gas fired generating stations in Dublin. Energia has 250MW of renewable capacity contracted within its energy portfolio, with a further 82MW of windfarm projects currently in development across Ireland."

**09/149**

**2/3/09**     **Road Repairs**

***To consider the following Question submitted by Councillor Tony Ferguson;***

"I ask the Director of Services, Infrastructure when it is proposed to carry out urgent works on the Augharrow Road near McGowans, Gilroys and Clancys to the end on the Derrinloughan part of road?"

***Report by Director of Service, Infrastructure***

"A Restoration Improvement Grant has been assigned to reconstruct and resurface the entirety of LS6-064 from Laghta to Agharroo, which is in poor condition at present. If funds permit, this may be extended to cover the short section of LS6060-1, where the houses in question are located."

**09/150**

**2/3/09**     **Works at Marymount**

***To consider the following Question submitted by Councillor Enda Stenson;***

"I ask have we any idea when will works on the footpaths and roadway around Marymount complex be complete."

***Report by Director of Service, Planning, Environment and Emergency Services***

"Remedial works to the drainage at Marymount have been completed and the Council has confirmed to the developer that the road surfacing and footpath works may proceed. It appears, however, that the developer is not in a position to undertake these works and has requested a meeting to discuss options. This meeting will be held shortly and it is hoped that a resolution can be reached. In the event that the matter can not be resolved by consensus then the Council will have no alternative but to apply for a court order compelling the developer to complete the works. At this time it is not possible to say when the development will be complete."

**09/151**

**2/3/09**     **Parking in Mohill**

***To consider the following Question submitted by Councillor Enda Stenson;***

"Can we confirm that as part of the works being undertaken by Connaught Gold Marts (permission granted), that this will include a parking area on their grounds, which in turn will alleviate parking problems along Glebe Street, Green Road and the Ballinamore Road area of Mohill."

***Report by Director of Service, Planning, Environment and Emergency Services***

"Connaught Gold Co-Operative Society Ltd have obtained a grant of planning permission for the installation of a car park and public lighting together with the construction of a new sales ring and penning area - file P08/749 refers. The development includes the provision of new car parking spaces and, excluding lorry parking areas, approximately 85 new car parking spaces will be provided. These spaces are, however, private property and will not constitute a public car park and are only for use by customers of the mart when it is open. This should greatly alleviate traffic problems which exist on occasions on which sales are taking place at the Mart."

**09/152**

**2/3/09      Oak Drive, Carrick-on-Shannon**

***To consider the following Question submitted by Councillor Sinead Guckian;***

"At the March meeting of Leitrim County Council I will ask the Carrick on Shannon District Engineer to meet with the Residents Association of Oak Drive, Carrick on Shannon, with the view to assisting them with the maintenance issues they are experiencing, particularly on the green areas at their estate."

***Report by Director of Service, Infrastructure***

"Agreement has been reached with the residents association regarding the maintenance of the green area."

**09/153**

**2/3/09      Repairs to Road No LS-5610-0**

***To consider the following Question submitted by Councillor Sean McGowan;***

"At the March Meeting of Leitrim County Council I will ask Mr Michael Flynn, Senior Executive Engineer, Carrick-on-Shannon to carry out immediate repairs to the road from Drumshanbo South crossroads as far as the Longford border, (Road No LS-5610-0) as it has fallen into a state of disrepair, and to include the road for resurfacing in the roadwork's programme this year."

***Report by Director of Service, Infrastructure***

"Repairs have recently been undertaken on this road. The roads programme for 2009 was agreed in recent weeks and at this stage the road can only be considered for future years programmes."

**09/154**

**2/3/09      Road re-surfacing works**

***To consider the following Question submitted by Councillor Gerry Dolan;***

"I ask the Director of Services, Infrastructure as to when its intended to have road from Leitrim Church to Sonny Kanes cross resurfaced."

***Report by Director of Service, Infrastructure***

"The section of this road the LP 3390-0 from the junction with the R280-7 for approximately 500m will be reinstated following the completion of the works associated with laying the new watermain. Funding has been provided as part of the water main replacement contract for this reinstatement works. Routine maintenance works will be carried out on the remaining section of this road to Sonny Kanes cross."

**09/155**

**2/3/09**     **Garvagh Behy, Dromahaire Road**

***To consider the following Question submitted by Councillor Gerry Dolan;***

"I ask Leitrim County Council to have a safe barrier erected as promised on the Garvagh Behy Dromahaire Road,"

***Report by Director of Service, Infrastructure***

"Works to improve safety on this bridge at Garvagh Glebe, Dromahair are proposed in the 2009 Area Programme."

**09/156**

**2/3/09**     **Lighting and Footpaths**

***To consider the following Question submitted by Councillor Liam McElgunn;***

"I ask Leitrim County Council to erect lighting and footpaths from the Paddocks to the Leitrim Observer offices as this is a very dangerous location."

***Report by Director of Service, Infrastructure***

"Works are ongoing to provide lights along the road in question from its junction with Leitrim road. Repair works to the road surface will follow in coming weeks. Further Footpath provision is not proposed at present."

**09/157**

**2/3/09**     **Glass and Drink can recycling banks**

***To consider the following Question submitted by Councillor Martin Kenny;***

"I am asking the Director of Services, Planning, Environment and Emergency Services to have glass and drink can recycling banks provided at Coraleehan, where there is a suitable area near the pump house over from the church."

***Report by Director of Service, Planning, Environment and Emergency Services***

"The feasibility of this site will be checked out and if found to be feasible and a suitable site is identified and if the local community are prepared to "adopt" the bring banks, the Council will install them as soon as possible. All of the aforementioned is dependent on available resources."

**09/158**

**2/3/09**     **Bridge at Aughavas Church**

***To consider the following Question submitted by Councillor Martin Kenny;***

"I am asking the Director of Services, Infrastructure is there any progress on getting design drawings completed for a new bridge at Aughavas church. This was to be carried out last year."

***Report by Director of Service, Infrastructure***

"We have completed the preliminary design of two options for a new bridge at Aughavas. The cost of this scheme is prohibitive and it is unlikely if a source of funding can be identified for this work.

The need to provide appropriate advance warning signs will be reviewed in the short term."

**09/159**

**2/3/09 Footpath repairs at St Patrick's, Treanmore**

***To consider the following Question submitted by Councillor Thomas Mulligan;***

"When can we expect repairs to be carried out on the footpath at St Patricks, Treanmore, Mohill?"

***Report by Director of Service, Infrastructure***

"Damage to the footpaths has been caused by construction traffic to recent developments in this area. We will be in discussion with the people responsible to ensure the footpaths are returned to a proper condition once these developments are complete."

**09/160**

**2/3/09 Station Road and the Lough Rinn Road**

***To consider the following Question submitted by Councillor Thomas Mulligan;***

"Will the extensive works on Station Road and the Lough Rinn Road be carried out in the spring of 2009?"

***Report by Director of Service, Infrastructure***

"We propose to commence first stage of works on section of LP01053 from Station House to the Power Station in coming weeks. Further works will form part of overall programme in Carick Area."

**09/161**

**2/3/09 St Mary's Graveyard**

***To consider the following Question submitted by Councillor Liam McElgunn;***

"I ask Leitrim County Council to repair the road in the middle of St Mary's graveyard as elderly people cannot use it in its present condition."

***Report by Director of Service, Infrastructure***

"As an interim measure minor repairs will be undertaken while we seek to identify a source of funding for more extensive improvements sought."

09/162

2/3/09

**Repairs to Main Street, Manorhamilton**

**To consider the following Question submitted by Councillor Aodh Flynn;**

"When will repairs be carried out on the Main Street of Manorhamilton?"

**Report by Director of Service, Infrastructure**

"It is intended that the necessary repairs to the street, involving the relaying of the brick pavements between the N16 junction and Market Square, will be carried out within the next two months. The general aim is to have the street back in good order before the Summer."

09/163

2/3/09

**Pedestrian Crossing at Castle Street, Mohill**

**To consider the following Question submitted by Councillor Sean McGowan;**

"At the March meeting of Leitrim County Council I will ask Mr John Mc Guinness, Director of Services Infrastructure, to examine the possibility of providing an additional Pedestrian crossing at Castle Street Mohill, to facilitate the number of people who use this area of the town on a daily basis, where you have Arus Carolan Nursing Home, Hunt National School, Public Library and a Primary Health Care Centre located."

**Report by Director of Service, Infrastructure**

"It is proposed to mark the junction between Castle Street and its junction with Main street Lower as a designated crossing area."

09/164

2/3/09

**Clooney Cross to Funinshagh Cross**

**To consider the following Question submitted by Councillor Francis Gilmartin;**

"I would like to ask Mr John McGuinness, Director of Services, Infrastructure, re road from Clooney Cross to Funinshagh Cross, as a lot of residents have contacted Mr Padraic McShera as part of this road is very rough and needs resurfacing."

**Report by Director of Service, Infrastructure**

"We have two road grants in this area and we will be able resurface a section of this road"

09/165

2/3/09

**Road in Drumawheel**

**To consider the following Question submitted by Councillor Francis Gilmartin;**

"This council would have received a letter from the residents for the road into Drumawheel. As you will see from the letter part of this road is nearly impassable, this part is owned by Leitrim County Council and when is the LIS scheme going to be done on the rest of the road."

***Report by Director of Service, Infrastructure***

"The public road in question LT 33561 will be assessed and the necessary improvements carried out. The LIS application for the minor road off this public road is been considered for funding in the current years programme."

This concluded the business of the meeting at 8.20 pm.

**Francis Gilmartin**  
Cathaoirleach

**Aideen McGovern**  
Meetings Administrator

**Date: 6<sup>th</sup> April 2009**