

**Minutes of Meeting of Leitrim County Council held in the Council Chamber,  
Aras An Chontae, Carrick-on-Shannon, Co. Leitrim on Monday, 5<sup>th</sup> March 2018**

**Members Present:** Councillor Bohan, Mary  
Councillor Barry, Brendan  
Councillor Dolan, Frank  
Councillor Dolan, Gerry  
Councillor Ellis, Caillian  
Councillor Fallon, Pdraig  
Councillor Guckian, Des  
Councillor Guckian, Sinead  
Councillor Gurn, Felim  
Councillor Logan, Seadhna  
Councillor Mulvey, Caroline  
Councillor McCartin, John  
Councillor McDermott, Sean  
Councillor McGowan, Sean  
Councillor O'Rourke, Paddy  
Councillor Stenson, Enda  
Councillor Warnock, Justin

And Councillor Armstrong–McGuire, Finola  
Cathaoirleach presiding

**Officials Present:** Mr Lar Power, Chief Executive  
Mr. Joseph Gilhooly, Director of Services, Economic  
Development, Planning, Environment and Transportation  
Ms. Mary Quinn, Director of Services, Housing and  
Community, Corporate Services, Culture and Emergency  
Services  
Mr. Vincent Dwyer, Head of Finance and Water Services  
Mr Billy Lowe, Senior Engineer  
Mr. Shay O'Connor, Senior Engineer  
Mr. Bernard Greene. Senior Planner  
Ms Una Wynne, Financial Management Accountant  
Mr Joe Lowe, Head of LEO  
Mr Shane Tiernan, Senior Executive Officer  
Mr Terry McGovern, A/Senior Executive Officer  
Ms Aoife Mulcahy, Executive Planner  
Mr Philip Delamere, Arts Officer  
Ms Sinead Flynn, Administrative Officer  
Ms. Joan Lowe, Meetings Administrator  
Ms Carmel Doherty, Staff Officer  
Mr Finbar Keaney, Staff Officer  
Ms Eilish McGovern, A/Staff Officer  
Ms. Kathleen McGovern Ellis, Assistant Staff Officer

At the outset of the meeting the Cathaoirleach, Councillor Finola Armstrong McGuire welcomed Mr. Lar Power, Chief Executive, to Leitrim.

She wished him good health and success in the post and assured him of the full co-operation and support of all the Members.

The Members in turn welcomed Mr. Power to County Leitrim, wished him success in the role of Chief Executive and assured him of their support in progressing the development of the County.

Mr. Lar Power, Chief Executive thanked the Members for their welcome and said he was delighted to take up the position of Chief Executive in Leitrim. Mr Power outlined his intention to meet each of the Elected Members individually and to hold a workshop with the Members to hear their views.

Councillor Des Guckian referred to bad work practices and Councillor Mary Bohan asked that he withdraw this remark.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation thanked the Elected Members, Management Team and Staff for all their help and co-operation over the last 6 months during his tenure as Deputy Chief Executive and outlined that everyone worked to do their best for the County.

Cathaoirleach, Councillor Finola Armstrong McGuire asked Mr Gilhooly to give an update on the recent storm Emma. Mr Gilhooly gave an update on the impact of Storm Emma on Leitrim. Mr Billy Lowe, Senior Engineer gave an update on the position at the water treatment plants as a result of the Storm Emma requesting the public to conserve water.

Councillor Mary Bohan thanked the crews who worked on bad road conditions and done a great job with the best resources they had during Storm Emma.

The Cathaoirleach, Councillor Finola Armstrong McGuire paid tribute to the outdoor staff and appealed to Members of the public to conserve water.

**18/29**

**05/03/2018      Votes of Sympathy**

The Members extended a vote of sympathy to the following:

- The Family of late Teresa Moran, Quay Street, Drumsna.
- Ben & Peggy McKeon & Family, Keshcarrigan, Co Leitrim on the death of Damian McKeon R.I.P.
- Imelda Guckian, Costra, Ballinamore, Co Leitrim on the death of Gus Guckian R.I.P.
- Thomas Dolan & Family, Corloughlin, Drumshanbo, Co Leitrim on the death of Philomena Dolan R.I.P.
- The Family of the Late Tony Ward, Corduff, Aughamore P.O., Carrick-on-Shannon.

- Monica Phelan & Family, Station Road, Carrick-on-Shannon, Co Leitrim on the death of Patrick Phelan R.I.P.
- The Family of the Late Teresa Moran, Church View, Aughavas, Co Leitrim.

**18/30**

**05/03/2018      Deimhniu Miontuairisci**

The following amendment to the Minutes of the 8<sup>th</sup> January 2018 regarding Minute No 18/22 in relation to the European Union's Permanent Structured Cooperation was proposed by Councillor Des Guckian and agreed by the Members.

Insertion of the following text:

“Councillor John McCartin opposing the motion proposed a counter motion against the motion and this was seconded by Councillor Mary Bohan.

**Proposed by Councillor Enda Stenson, seconded by Councillor Caillian Ellis and RESOLVED:**

“That the Minutes of Leitrim County Council Meeting held in the Council Chamber, Aras An Chontae, Carrick-on-Shannon, Co Leitrim on Monday, 8<sup>th</sup> January 2018 be adopted”.

**18/31**

**05/03/2018 Disposal of freehold interest in plot of land at No 11 Lahard Estate, Ballinamore**

Notice of Intention dated February 2018 from Ms Mairead Shanley, Administrative Officer, Housing Department in relation to the disposal of plot of land comprising circa 0.029Ha or thereabouts in the townlands of Lahard, Ballinamore comprised in Folio No 14081 of the register of Freeholders County Leitrim in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 1** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Gerry Dolan, seconded by Councillor Caillian Ellis and UNANIMOUSLY RESOLVED:**

“That the disposal of plot of land comprising circa 0.029Ha or thereabouts in the townlands of Lahard, Ballinamore comprised in Folio No 14081 of the register of Freeholders County Leitrim in accordance with Section 183 of the Local Government Act, 2001 and Notice of Intention dated February 2018 as circulated to all Members be approved”.

**18/32**

**05/03/2018 Disposal of freehold interest in plot of land at No 12 Lahard Estate, Ballinamore**

Notice of Intention dated February 2018 from Ms Mairead Shanley, Administrative Officer, Housing Department in relation to the disposal of plot of land comprising circa 0.028Ha or thereabouts in the townlands of Lahard, Ballinamore comprised in Folio No 14081 of the register of Freeholders County Leitrim in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 2** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Caillian Ellis, seconded by Councillor Gerry Dolan and UNANIMOUSLY RESOLVED:**

“That the disposal of plot of land comprising circa 0.028Ha or thereabouts in the townlands of Lahard, Ballinamore comprised in Folio No 14081 of the register of Freeholders County Leitrim in accordance with Section 183 of the Local Government Act, 2001 and Notice of Intention dated February 2018 as circulated to all Members be approved”.

**18/33**

**05/03/2018 Disposal of rural cottage and adjoining site at Tullyclevaun, Drumahaire, (otherwise known as Coolegraine, Dowra), Co Leitrim**

Notice of Intention dated February 2018 from Ms Mairead Shanley, Administrative Officer, Housing Department in relation to the disposal of rural cottage and adjoining site comprising circa 0.395 acres (0.157 hectares) in the townland of Tullyclevaun, Drumahaire, Co Leitrim N41 FD88 (otherwise known as Coolegreine, Dowra, Co Leitrim)(registered in the name of Leitrim County Council – Folio No LM654F) in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 3** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Mary Bohan, seconded by Councillor Frank Dolan and UNANIMOUSLY RESOLVED:**

“That the disposal of rural cottage and adjoining site comprising circa 0.395 acres (0.157 hectares) in the townland of Tullyclevaun, Drumahaire, Co Leitrim N41 FD88 (otherwise known as Coolegreine, Dowra, Co Leitrim)(registered in the name of Leitrim County Council – Folio No LM654F) in accordance with Section 183 of the Local Government Act, 2001 and Notice of Intention dated February 2018 as circulated to all Members be approved”.

18/34

**05/03/2018 Disposal of rural cottage and adjoining site at Mulnasillagh, Aghacashel, Co Leitrim**

Notice of Intention dated February 2018 from Ms Mairead Shanley, Administrative Officer, Housing Department in relation to the disposal of rural cottage and adjoining site comprising circa 0.445 acres (0.18 Hectares) in the townland of Mulnasillagh, Aghacashel, Co Leitrim, N41 PH48 (registered in the name of Leitrim County Council – Folio No LM568F) in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 4** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Gerry Dolan, seconded by Councillor Brendan Barry and UNANIMOUSLY RESOLVED:**

“That the disposal of rural cottage and adjoining site comprising circa 0.445 acres (0.18 Hectares) in the townland of Mulnasillagh, Aghacashel, Co Leitrim, N41 PH48 (registered in the name of Leitrim County Council – Folio No LM568F) in accordance with Section 183 of the Local Government Act, 2001 and Notice of Intention dated February 2018 as circulated to all Members be approved”.

18/35

**05/03/2018 Disposal of rural cottage and adjoining site at Derreen, Aghacashel, Co Leitrim**

Notice of Intention dated February 2018 from Mairead Shanley, Administrative Officer, Housing Department in relation to the disposal of rural cottage and adjoining site at Derreen, Aghacashel, Co Leitrim comprising circa 0.716 acres (0.290 Hectares) in the townland of Derreen, Aghacashel, Co Leitrim, N41 CP04 (registered in the name of Leitrim County Council – Folio No LM8961F Plan 95 and LM2442F Plan 70 strip of land from Folio LM3572F currently being registered in the name of Leitrim County Council) in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 5** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Gerry Dolan, seconded by Councillor Brendan Barry and UNANIMOUSLY RESOLVED:**

“That the disposal of rural cottage and adjoining site at Derreen, Aghacashel, Co Leitrim comprising circa 0.716 acres (0.290 Hectares) in the townland of Derreen, Aghacashel, Co Leitrim, N41 CP04 (registered in the name of Leitrim County Council – Folio No LM8961F Plan 95 and LM2442F Plan 70 strip of land from Folio LM3572F currently being registered in the name of Leitrim County Council) in accordance with Section 183 of the Local Government Act, 2001 and Notice of Intention dated February 2018 as circulated to all Members be approved”.

18/36

**05/03/2018 Disposal of Freehold interest on land at Treanmore, Mohill, Co Leitrim, N41 D590**

Notice of Intention dated February 2017 from Mairead Shanley, Administrative Officer, Housing Department in relation to the disposal of Freehold Interest on land at Treanmore, Mohill, Co Leitrim, N41 D590 comprising circa 0.321 acres (0.13 Hectares) in the townland of Treanmore, Mohill, Co Leitrim N41 D590 (registered in the name of Leitrim County Council – Folio No LM13300F Plan 33Q5 and LM4095F Plan 3\_1 and 3\_2) in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 6** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Enda Stenson, seconded by Councillor Des Guckian and UNANIMOUSLY RESOLVED:**

“That the disposal of Freehold Interest on land at Treanmore, Mohill, Co Leitrim, N41 D590 comprising circa 0.321 acres (0.13 Hectares) in the townland of Treanmore, Mohill, Co Leitrim N41 D590 (registered in the name of Leitrim County Council – Folio No LM13300F Plan 33Q5 and LM4095F Plan 3\_1 and 3\_2) in accordance with Section 183 of the Local Government Act, 2001 and Notice of intention dated February 2018 as circulated to all Members be approved”.

18/37

**05/03/2018 Disposal of Rural Cottage and adjoining site at Kilcoosy, Dromahair**

Notice of Intention dated February 2017 from Mairead Shanley, Administrative Officer, Housing Department in relation to the disposal of rural cottage and adjoining site at Kilcoosy, Dromahair, Co Leitrim comprising circa 0.964 acres (0.387 Hectares) in the townland of Kilcoosy, Dromahair, Co Leitrim, F91 V672 (registered in the name of Leitrim County Council – Folio No LM19550F) in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 7** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Mary Bohan, seconded by Councillor Felim Gurn and UNANIMOUSLY RESOLVED:**

“That the disposal of rural cottage and adjoining site at Kilcoosy, Dromahair, Co Leitrim comprising circa 0.964 acres (0.387 Hectares) in the townland of Kilcoosy, Dromahair, Co Leitrim, F91 V672 (registered in the name of Leitrim County Council – Folio No LM19550F) in accordance with Section 183 of the Local Government Act, 2001 and Notice of intention dated February 2018 as circulated to all Members be approved”.

**18/38**

**05/03/2018 Disposal of Land at Tullylannan, Leitrim Village, Co Leitrim**

Notice of Intention dated February 2018 from Seamus O'Connor, Senior Engineer, Roads in relation to the disposal of lands comprising circa 0.68 Acres (0.0274 Hectares) in the townland of Tullylannan, Co Leitrim, (registered in the name of Leitrim County Council – Folio No LM19158) in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 8** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Finola Armstrong McGuire, seconded by Councillor Des Guckian and UNANIMOUSLY RESOLVED:**

“That the disposal of lands comprising circa 0.68 Acres (0.0274 Hectares) in the townland of Tullylannan, Co Leitrim, (registered in the name of Leitrim County Council – Folio No LM19158) in accordance with Section 183 of the Local Government Act, 2001 and Notice of intention dated February 2018 as circulated to all Members be approved”.

**18/39**

**05/03/2018 Disposal of land at Drumod More, Co Leitrim**

Notice of Intention dated February 2018 from Mr Seamus O'Connor, Senior Enginner, Roads Department in relation to the disposal of land at Drumod More, Co Leitrim comprising circa 2.863 acres (1.159 Hectares) in the townland of Drumod More, Co Leitrim (registered in the name of Leitrim County Council – Folio No LM5367F in accordance with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 9** to the Minutes of this Meeting in the Minute Book.

**Proposed by Councillor Sean McGowan, seconded by Councillor Des Guckian and UNANIMOUSLY RESOLVED:**

“That the disposal of land at Drumod More, Co Leitrim comprising circa 2.863 acres (1.159 Hectares) in the townland of Drumod More, Co Leitrim (registered in the name of Leitrim County Council – Folio No LM5367F in accordance with Section 183 of the Local Government Act, 2001 and Notice of intention dated February 2018 as circulated to all Members be approved”.

**18/40**

**05/03/2018 Disposal of building known as Courthouse in Drumshanbo by means of a 10 year lease**

Notice of Intention dated 20<sup>th</sup> February 2018 to dispose of a building known as Courthouse in Drumshanbo, Co Leitrim by means of a 10 year lease of Drumshanbo Courthouse to North Connaught Youth & Community Services Ltd in accordance

with Section 183 of the Local Government Act, 2001 as circulated to all Members which appears as **Appendix 10** to the Minutes of this Meeting in the Minute Book.

**Proposed by Councillor Gerry Dolan, seconded by Councillor Brendan Barry and UNANIMOUSLY RESOLVED:**

“That the disposal of a building known as Courthouse in Drumshanbo, Co Leitrim by means of a 10 year lease of Drumshanbo Courthouse to North Connaught Youth & Community Services Ltd in accordance with Section 183 of the Local Government Act, 2001 and Notice of intention dated 20<sup>th</sup> February 2018 as circulated to all Members be approved”.

**18/41**

**05/03/2018**

**Leitrim County Council Annual Service Delivery Plan 2018.**

The Draft Annual Service Delivery Plan, 2018 as circulated to the Members appears as **Appendix 11** to the Minutes of this meeting in the Minute Book.

**Proposed by Councillor Mary Bohan, seconded by Councillor Sean McGowan and UNANIMOUSLY RESOLVED:**

“That Leitrim County Council’s Annual Service Delivery Plan, 2018 be adopted”.

**18/42**

**05/03/2018**

**Culture and Creative Strategy 2018 - 2022**

The Cathaoirleach, Councillor Finola Armstrong McGuire welcomed Mr. Philip Delamere, Arts Officer to the meeting.

Mr Philip Delamere presented a detailed presentation on Leitrim County Council’s Culture and Creativity Strategy 2018-2022.

A copy of the presentation appears as **Appendix 12** to the Minutes of this meeting in the Minute Book.

The Cathaoirleach, Councillor Finola Armstrong McGuire and the Members thanked Mr Philip Delamere, Arts Officer for his presentation and invited any questions/comments from the Members. Discussion by the members on the Culture and Creative Strategy 2018 – 2022 then took place after which Mr Philip Delamere thanked the Members for their observations/comments.

**Proposed by Councillor Sinead Guckian, seconded by Councillor Sean Paddy O'Rourke and UNANIMOUSLY RESOLVED:**

"That the Culture and Creative Strategy 2018 -2022 be adopted".

**18/43**

**05/03/2018**

**To approve the raising of a loan of €3.6m for the purposes of buying back the Head Lease on the leisure facility in Carrick-on-Shannon.**

Report from Mr Vincent Dwyer, Head of Finance dated 5<sup>th</sup> March 2018 in regard to raising of a loan of €3.6m for the purposes of buying back the Head Lease on the leisure facility in Carrick-on-Shannon as circulated to the Members appears as **Appendix 13** to the Minutes of this meeting in the Minute Book..

Councillor Brendan Barry sought clarification on the buying back of the Head Lease of €6.1 m.

Mr Vincent Dwyer, Head of Finance outlined that a Head Lease was entered into by Leitrim County Council with a consortium of investors subject to a covenant for them to provide a Leisure Facility in Carrick-on-Shannon during the period 2004/2005. Under the conditions of the agreement Leitrim Leisure Limited must buy back the Head Lease i.e. the facility at €6.1m in early 2018. Leitrim County Council have maintained a fund to partially finance this €6.1m. This fund currently stands at €2.5m (March 2018). It is now proposed to borrow the required €3.6m from HFA for a repayment period of 30 years at a fixed interest rate of 1.75% and the annual payment will be €154,756.

Councillor Des Guckian queried if Leitrim County Council will have control over opening hours/ charges at the leisure facility.

Mr Vincent Dwyer outlined that a Service Provider is engaged to run the facility under contract.

Councillor Finola Armstrong McGuire stated that this is an excellent facility to have in the region.

Councillor Mary Bohan queried if there was a legal obligation on Leitrim County Council to buy back the Head Lease.

Mr Vincent Dwyer confirmed that under the conditions of the agreement Leitrim Leisure Limited must buy back the Head Lease i.e. the facility at €6.1m in early 2018.

**Proposed by Councillor Sean McGowan, seconded by Councillor Des Guckian and UNANIMOUSLY RESOLVED:**

“That the raising of a loan of €3.6m for the purposes of buying back the Head Lease on the leisure facility in Carrick-on-Shannon be approved”.

**18/44**

**05/03/2018**      **Rate Collection Report for 2017 and schedule of uncollected Rates.**

The Rate Collection Report, 2017 dated 5<sup>th</sup> March 2018 from Mr. Vincent Dwyer, Head of Finance as circulated to the Members, appears as **Appendix 14** to the Minutes of this meeting in the Minute Book. Mr. Dwyer gave an over-view of the contents of the report.

Councillor Enda Stenson proposed ratepayers whose pubs have closed should be removed from the list as these pubs are not going to re-open.

Mr Vincent Dwyer, Head of Finance confirmed that the Valuation Office and the ratepayers concerned are looking at delisting these premises from the list.

The report as circulated was noted by the Members.

**18/45**

**05/03/2018**      **Audit Committee Report, 2017**

The Annual Report, 2017 from the Audit Committee to Leitrim County Council, dated 8<sup>th</sup> February, 2018 and submitted 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, as circulated to each Member appears as **Appendix 15** to the Minutes of this Meeting in the Minute Book.

Councillor Des Guckian sought clarification on the following:-

- What projects did the Audit Committee undertake during 2017
- How is the Chair designated to the Audit Committee
- Committee Self Evaluation

Ms Mary Quinn, Director of Services, Housing, Community, Corporate Services, Cultural and Emergency Services advised as follows:

- The projects reviewed by the Audit Committee included Cyber Security, Risk Register, Public Spending Code and Low Value Purchase Cards
- The chairperson is elected in accordance with the Local Government (Audit Committee) Regulations 2014, and a committee self evaluation process was concluded.

The report was noted by the Members.

18/46

05/03/2018

**Report on the operation of Litter Pollution Act 1997 in regard to measures taken during 2017 in relation to the prevention and control of litter**

Report from Terry McGovern, A/Senior Executive Officer, Planning, Community and Economic Development dated 27<sup>th</sup> February 2018 in relation to the measures taken during 2017 in regard to the prevention and control of litter as circulated to each Member appears as **Appendix 16** to the Minutes of this Meeting in the Minute Book.

Councillor Mary Bohan queried if an additional Litter Warden has been appointed and she expressed her anger with the amount of litter that is being deposited at several locations on the R280. Councillor Bohan acknowledged that it is a small percentage of people who are so irresponsible and she called for people to respect the areas where they live.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation advised that the position of Litter Warden has been advertised and recruitment is being progressed.

Councillor Sean McGowan acknowledged that this is an ongoing issue and he called on the Council and Media to highlight the issue. Councillor McGowan appealed to Community Groups to do a litter pick before the vegetation starts to grow and he complimented the great work done on the Dromod Rooskey Bypass pick.

Councillor Enda Stenson acknowledged that this has been an issue for the last 10-20 years, and complimented the schools on the great work done on the Green Flags and he stressed that this problem is being caused by adults.

Councillor Seadhna Logan queried as follows:-

- how many fines were issued
- how many were prosecuted during 2017
- what are the response times in getting out to illegal dumping sites when reported
- who is responsible for cleaning up private property after illegal dumping has occurred.

Councillor Justin Warnock insisted that the biggest culprits of littering in this county is householders.

Councillor Sean McDermott acknowledged that it is very frustrating for Community Groups that go out annually. Councillor Sean McDermott insisted that CCTV Cameras need to be kept moved around to solve the situation.

Councillor Pdraig Fallon queried if there was a facility whereby Roads staff can help the Environment staff to collect litter that has been deposited along our roads.

Councillor Brendan Barry queried if litter bags were being provided to the public for litter picking.

Councillor Finola Armstrong McGuire acknowledged that this County has bottle banks/good Recycling Centres which have cheap entrance fees and the resources of our staff are too valuable for litter picking.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation advised Members that the following measures are undertaken for the prevention and control of litter in the county.

- Litter Pollution & Quantification Surveys
- Street Cleaning and Community Wardens
- CCTV Programme
- Media/Advertising Campaigns
- Anti Litter – Dog Fouling
- Green Schools Programme
- Adopt a Road Programme/Adopt a Bring Bank
- Work in close association with Community Groups

Mr Terry McGovern, A/Senior Executive Officer, Planning, Community and Economic Development outlined the following initiatives to deal with the continuing issue of letter and illegal dumping in our county.

- Re-useable cups are going to be extended to the Tidy Towns and the money collected from the sale of these cups will go back to the Tidy Towns.
- Continue to liaise with Tidy Towns
- Adopt a Road
- Adopt a Bring Bank
- Litter Awareness Campaign
- WERLA
- CCTV to extend to all bring banks
- Purchase of a drone

Councillor Caroline Mulvey welcomed the purchase of a drone to combat this issue.

The report was noted by the Members.

**18/47**

**05/03/2018 Annual report of Leitrim Joint Policing Committee 2017**

Report dated 27<sup>th</sup> February, 2018 from Ms. Mary Quinn, Director of Services, Housing, Corporate, Culture & Emergency Services as circulated to the Members, appears as **Appendix 17** to the Minutes of this meeting in the Minute Book.

Ms Mary Quinn, Director of Services, Housing, Corporate, Culture and Emergency Services advised that the Public meeting of the Joint Policing Committee scheduled to take place on the 1<sup>st</sup> March 2018 was postponed due to Storm Emma and she would revert to the Members with the new date for the proposed meeting.

The report was noted by the Members.

**18/48**

**05/03/2018**      **Schedule of Municipal District Works including the Road Works Programme 2018**

Mr. Joseph Gilhooly, Director of Services outlined that the Schedule of Municipal District Works including the Road Works Programme, 2018 was agreed at the three Municipal District Meetings in February, 2018.

Councillor Mary Bohan expressed her disappointment with the level of funding being received and proposed that a letter issue to the Minister Ross seeking additional funding for Public Lighting and Footpaths noting that no allocation has being received from the Department of Transport for Local Improvement Scheme and it should be pointed out that the only funding received in this regard is from the Department of Rural Development which should not be the case.

Councillor Frank Dolan stated that there is such a long waiting list for Local Improvement Schemes that a special allocation is required to reduce down the long waiting list quickly.

Councillor Enda Stenson supported the motion.

Councillor John McCartin also supported the proposal and expressed disappointment that the Rural Development Programme is paying for the LIS programme.

**18/49**

**05/03/2018**      **Monthly Management Reports by the Chief Executive**

Monthly Management Reports for the period 1<sup>st</sup> December, 2017 to 31<sup>st</sup> December 2017 and 1<sup>st</sup> January, 2018 to 31<sup>st</sup> January 2018 by Mr. Joseph Gilhooly, A/Chief Executive, dated 12<sup>th</sup> January, 2018 and 14<sup>th</sup> February 2018 respectively, prepared in accordance with Section 136 (2) of the Local Government Act, 2001 as inserted by Section 51 of the Local Government Reform Act, 2014, as circulated to the Members, appears as **Appendix 18** and **Appendix 19** to the Minutes of this meeting in the Minute Book.

The report as circulated was noted by the Members.

18/50

05/03/2018

**Section 138 (1) of the Local Government Act 2001**

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation advised of the following:-

- An Allocation has been received of €250,000 for the Local Improvement Scheme
- The Community Involvement Scheme is currently open for public calls the closing date is Friday, 9<sup>th</sup> March 2018

Councillor Sinead Guckian proposed that the closing date for the public calls for the Community Involvement Scheme be extended due to the recent Storm Emma.

Mr Seamus O'Connor, Senior Engineer, Roads confirmed that this is a call for the Department to make and Leitrim County Council will revert to the Department in this regard.

Mr O'Connor advised Members to advise their Area Engineers of any public roads they would deem necessary for works to be carried out on them under this scheme.

Councillor Pdraig Fallon highlighted the possibly that some roads can be funded by transport companies and forest companies who are using them but as soon as they are improved this will lead to increased traffic on same.

Councillor Caillian Ellis expressed his disappointment and re-iterated that it is very unfair to people who live on a public road that they have to pay to have it repaired.

Councillor Des Guckian expressed his disappointment in this regard.

Councillor Paddy O'Rourke said it was a "tall order " to ask people to contribute to a through road.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation advised Members that they have to be mindful that the Community Involvement Scheme has worked well in the past.

Mr Shay O'Connor, Senior Engineer, Roads advised that Forestation companies have engaged with the scheme in the past, are working very closely with Leitrim County Council, are very co-operative and are willing to pay monies to whatever damage is caused by them.

18/51  
05/03/2018

## Corporate Policy Group Report

Councillor Finola Armstrong McGuire invited the Chairperson's from each Strategic Policy Committee to give an update from their respective Strategic Policy Committee.

- **Housing Policy, Social & Cultural Development Strategic Policy Committee**

Councillor Gerry Dolan, Chairperson, outlined that a meeting of the Housing Policy, Social & Cultural Development Strategic Policy Committee was held on Wednesday, 21<sup>st</sup> February 2018 and considered the following items:

- Housing Policy, Social & Cultural Development SPC Work Programme and Schedule of Meetings for 2018
- Presentation on Age Friendly Strategy
- Community & Environmental Awards Scheme
- Housing Grants

- **Environmental, Transportation & Infrastructural Policy Strategic Policy Committee**

Councillor Sinead Guckian outlined that a meeting of the Environmental, Transportation & Infrastructural Policy Strategic Policy Committee was held on the 20<sup>th</sup> February 2018 and the following items of business were discussed:-

- Environmental, Transportation and Infrastructural SPC Work Programme 2018
- Local Improvement Scheme Operation
- Litter Upkeep – Review of Incentives

A copy of the policy on LIS schemes was circulated to all Members and the Local Improvement Scheme policy was approved by the Members. It was agreed that a letter would issue to each of the 177 applicants on the LIS scheme to establish who is still interested in proceeding with the scheme, the LIS's approved last year to be completed and an update to be presented to the Elected Members at the September meeting.

- **Economic, Development, Enterprise & Planning Strategic Policy Committee**

Councillor Sean McDermott outlined that an Economic, Development, Enterprise & Planning Strategic Policy Committee SPC Committee meeting took place on 19<sup>th</sup> February 2018 and considered the following items:

- Update on the Regional Spatial and Economic Strategy (RSES) – Bernard Greene, Senior Planner, Leitrim County Council
- Update on Rates Incentive Scheme – Mr. Joe Lowe, Head of Local Enterprise Office
- SPC Draft Work Programme 2018 & Schedule of Meetings for 2018

Ms. Lowe also outlined that an over-view of items listed on the agenda for the Council meeting was provided and that the attendance of Members at forthcoming Conferences/Seminars was also agreed by the Corporate Policy Group.

**18/52**

**05/03/2018**

**Conferences/Training**

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

“That the attendance of Councillor Sinead Guckian, Councillor Sean McGowan, Councillor Paddy O’Rourke, Councillor Caillian Ellis and Councillor Enda Stenson at the LAMA 2018 Spring Training Seminar on the 5<sup>th</sup> April to 7<sup>th</sup> April 2018 in the Central Hotel, Donegal Town, Co Donegal be approved”.

“That the attendance of Councillor Sinead Guckian, Councillor Sean McGowan, Councillor Paddy O’Rourke, Councillor Frank Dolan, Councillor Justin Warnock and Councillor Caillian Ellis at the AILG Annual Training Conference 2018 on the 12<sup>th</sup> & 13<sup>th</sup> April 2018 in the Park Hotel & Leisure Centre, Dungarvan, Co Waterford be approved”.

“That the attendance of Councillor Padraig Fallon and Councillor Gerry Dolan at the New Affordable Houses Schemes in the Four Seasons Hotel, Carlingford, Co Louth on the 9<sup>th</sup> March 2018 to 11<sup>th</sup> March 2018 be approved”.

“That the attendance of Councillor Padraig Fallon and Councillor Caillian Ellis at the EU Cohesion Policy 2014 -2020 on the 2<sup>nd</sup> February to 4<sup>th</sup> February 2018 in the Four Seasons Hotel, Carlingford, Co Louth be retrospectively approved”.

“That the attendance of Councillor Paddy O’Rourke, Councillor Sean McGowan and Councillor Caillian Ellis at the Nursing Home Support Scheme in Clonakilty Hotel, Clonakilty, Co Cork on the 16<sup>th</sup> to 18<sup>th</sup> February 2018 be retrospectively approved”.

“That the attendance of Councillor Finola Armstrong McGuire at the AILG Training – Module 1 2018 – “Councillors and Journalists – How best to convey your message

as a member of your Council through the media” held on the 22<sup>nd</sup> February 2018 in Mullingar Park Hotel, Mullingar, Co Westmeath be retrospectively approved”.

“That the attendance of Councillor Justin Warnock and Councillor Frank Dolan at the AILG Training – Module 1 2018 – “Councillors and Journalists – How best to convey your message as a member of your Council through the media” held on the 17th February 2018 in Seven Oaks Hotel, Carlow be retrospectively approved”.

**18/53**

**05/03/2018**

**Meeting Correspondence**

1. Resolution dated 15<sup>th</sup> January 2018 from Waterford City and County Council in consideration and recognition of the brave women and men in the emergency services who put their lives at risk to save others, who again were not found wanting during the recent extreme weather conditions, and whose lives were put at unnecessary risk by individuals who entered the sea during the status Red weather alert are calling on the Government to introduce legislation as quickly as possible to make it an offence for a person or persons to enter the water, that being the sea or river, during a status red weather warning. To also make it an offence to enter the water, that being the sea or river, when the area has been closed by either the local council or the Gardai as a matter of public safety.
2. Resolution dated 15<sup>th</sup> January 2018 from Wexford County Council calling on the Data Protection Commissioners that the guidance issued by the Data Protection Commissioners should not supercede the public interest role of Councillors both to oversee the allocation of houses and to provide input based on local knowledge to assist in the allocation of housing and that a draft protocol to balance these competing interests be brought forward.
3. Resolution dated 17<sup>th</sup> January 2018 from Tipperary County Council calling on the Minister for Environment to amend the legislation with regard to collection of waste so as to allow small operators to provide a service to those who live in remote areas, areas where large vehicles cannot access or where householders have very limited amounts of waste and lack storage space for bins. Such small operators should be permitted to meet requirements in relation to pay by weight, by weighing their loads at the point of disposal. This would facilitate householders, allow the small operators to continue in business and also reduce the likelihood of illegal dumping of waste.

**Proposed by Councillor Sean McGowan, seconded by Councillor Mary Bohan AND UNANIMOUSLY RESOLVED:**

“That Leitrim County Council call on the Minister for Environment to amend the legislation with regard to collection of waste so as to allow small operators to provide a service to those who live in remote areas, areas where large vehicles cannot access or where householders have very limited amounts of waste and lack storage space for bins. Such small operators should be permitted to meet

requirements in relation to pay by weight, by weighing their loads at the point of disposal. This would facilitate householders, allow the small operators to continue in business and also reduce the likelihood of illegal dumping of waste”.

4. Resolution dated 18<sup>th</sup> January 2018 from Waterford City and County Council calling on the Minister for Justice to commence without further delay the Commission of Investigation into the alleged cover up of sex crimes by paedophile Bill Kenneally.
5. Resolution dated 3<sup>rd</sup> February 2018 from Galway County Council calling on the Minister for Transport and the Minister for Justice and Equality to provide each Local Authority with efficient laws to deal with the illegal parking of caravans and camper vans on public and private roads, right of ways and non-designated camp sites. Sufficient powers should be given to each Authority to remove and impound illegally parked caravans and to confiscate unclaimed caravans in a timely fashion similar to unclaimed motor vehicles.
6. Letter received 9<sup>th</sup> February 2018 from the Office of the Minister for Rural and Community Development acknowledging receipt of Resolution passed by Leitrim County Council in regard to LEADER Funding.
7. Letter received 21<sup>st</sup> February 2018 from the Office of the Minister for Housing, Planning and Local Government acknowledging receipt of Resolution passed by Leitrim County Council in regard to the Zero Discharge Waste Water Treatment System Pilot Programme.
8. Letter received 21<sup>st</sup> February 2018 from the Office of the Taoiseach acknowledging receipt of Resolution passed by Leitrim County Council in regard to Outstanding Tax Bill.
9. Letter received 22<sup>nd</sup> February 2018 from the Office of the Minister for Agriculture, Food and the Marine acknowledging receipt of Resolution passed by Leitrim County Council in regard to Fodder.
10. Letter received 22<sup>nd</sup> February 2018 from the Office of the Minister for Employment Affairs and Social Protection acknowledging receipt of Resolution passed by Leitrim County Council regarding pensions in relation to homemakers.
11. Letter received 22<sup>nd</sup> February 2018 from the Office of the Minister for Justice and Equality acknowledging receipt of Resolution passed by Leitrim County Council regarding Garda Resources.
12. Letter received 22<sup>nd</sup> February 2018 from Minister Finian McGrath, Minister for State at the Department for Social Protection, Justice and Equality and Health with special responsibilities for Disabilities acknowledging receipt of Resolution passed by Leitrim County Council in regard to medical criteria for Disabled Drivers and Disabled Passengers Scheme.

Councillor Padraig Fallon expressed his disappointment with the reply received from Minister McGrath in this regard and said it was outrageous that a Minister with special responsibilities for Disabilities had no role to play in either the administration of the Disabled Drivers and Disabled Passengers Scheme or the setting of the qualifying criteria. Councillor Padraig Fallon proposed that a letter issue to Minister Paschal Donohoe in this regard.

All Members supported this proposal.

13. Letter received 23<sup>rd</sup> February 2018 from the Office of the Minister for Health in regard to the CAHMS Services.
14. Letter received 23<sup>rd</sup> February 2018 from the Office of the Minister for Health acknowledging receipt of Resolution passed by Leitrim County Council in regard to Speech Therapist in St Patrick's Hospital, Carrick-on-Shannon.
15. Letter received 16<sup>th</sup> February 2018 from Minister Michael Ring, Minister for Rural and Community Development outlining schedule of 2018 announcements.

The Members agreed to adjourn the meeting for 10 minutes at this point.

### **Notices of Motions**

**18/54**

**05/03/2018**

#### **Designation of SAC's & NHA areas**

***To consider the following Notice of Motion submitted by Councillor Des Guckian;***

"That the Members of Leitrim County Council agree to write to the Department of Agriculture, Food and the Marine to protest against the Department's dictatorial actions, per the National Parks and Wildlife Service and other agencies, in designating large areas of our County as SACs , NHAs, etc. The scientific basis for such designations has not been explained to the people of County Leitrim and neighbouring counties and such designations are proving to be detrimental and limiting for the incomes and the livelihoods of people in such areas. I request that this motion be forwarded to other Local Authorities seeking their support."

#### **Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"The National Parks and Wildlife Services, within the Department of Culture, Heritage and the Gaeltacht are responsible for designating sites in Ireland.

Natura 2000 is a network of sites selected to ensure the long-term survival of Europe's most valuable and threatened species and habitats. Member states choose sites according to precise, scientific criteria. The selection procedure varies

depending on which of the two nature directives – Birds or Habitats – warrants the creation of a particular site.

Under the Habitats Directive, Member States designate Special Areas of Conservation (SACs) to ensure the favourable conservation status of each habitat type and species and the Member States have to designate the sites required to ensure that the natural habitat types listed in Annex I and the habitats of the species listed in its Annex II are maintained or, where appropriate, restored to a favourable conservation status in their natural range. The sites are selected and proposed by the Member States. The European Environment Agency (EEA) assists the European Commission in analysing sites proposals and in the evaluation of the contribution of the proposed sites to the conservation status of each habitat type and species at the biogeographical level. Once the sites proposed are considered sufficient, the lists of sites are adopted by the Commission and the Member States must designate them as soon as possible and within six years at most. Under the Birds Directive, the network must include Special Protection Areas (SPAs) designated for 194 particularly threatened species and all migratory bird species.

The Directives do not lay down in detail the consultation process to be followed for the selection of sites. In regard to this Member State the National Parks and Wildlife Service proposes such areas for inclusion and a detailed and thorough public consultation exercise is undertaken. At a national level, the Department consults regularly with stakeholders including the major non-Government farming and conservation groups and other government departments. For consultation at a local level, owners of lands and/or rights in designated areas are identified and notified of proposals that may affect them and invited to attend public consultation meetings to develop conservation plans for the sites. The Department also places advertisements locally in press and on radio to maximise awareness of any new statutory proposals. While socio-economic considerations are not taken into account during site selection process they are however a fundamental consideration when deciding how a Natura 2000 site should be protected and managed.

The basic designation for wildlife in Ireland is by designating an area as a Natural Heritage Area (NHA). This is an area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection. The Wildlife (Amendment) Act 2000 makes legal provision for the designation and protection of a national network of NHAs.

To date, 75 raised bogs have been given legal protection, covering some 23,000 hectares. These raised bogs are located mainly in the midlands. A further 73 blanket bogs, covering 37,000ha, mostly in western areas are also designated as NHAs.

It is also intended that the designation be used to protect geosites (sites of geological and geomorphological interest). The Geological Survey of Ireland (GSI) provides scientific appraisal and interpretative advice on such sites, while the NPWS have the responsibility of designation and management.

A similar consultative process is undertaken by the NPWS for proposing Natural Heritage Areas as Natura 2000 sites."

Councillor Des Guckian expressed his concerns in this regard and gave the background to his motion.

Councillor Des Guckian noted that there is an over designation in Ireland per head of population and 60 to 70% of our laws directed and handed to us by the EU. National Parks and Wildlife have far too much say and they don't consult with IFA and people on the ground who are affected by these laws. Councillor Des Guckian said there is a need for people to stand up and oppose these laws.

Councillor Sean McGowan supported the motion and re-iterated that the whole area needs to be revisited and reclassified.

Councillor Seadhna Logan commended Councillor Des Guckian for bringing forward this motion and said that people deserve to know why they are negatively impacted by this sterile land.

Mr Bernard Greene, Senior Planner advised that the selection procedure varies depending on which of the two nature directives – Birds or Habitats – warrants the creation of a particular site.

Under the Habitats Directive, Member States designate Special Areas of Conservation (SACs) to ensure the favourable conservation status of each habitat type and species and the Member States have to designate the sites required to ensure that the natural habitat types and the habitats of the species are maintained or, where appropriate, restored to a favourable conservation status in their natural range. The European Environment Agency (EEA) assists the European Commission in analysing sites proposals and in the evaluation of the contribution of the proposed sites to the conservation status of each habitat type and species at the biogeographical level. Under the Birds Directive, the network must include Special Protection Areas (SPAs) designated for 194 particularly threatened species and all migratory bird species.

The basic designation for wildlife in Ireland is by designating an area as a Natural Heritage Area (NHA). This is an area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection.

Councillor Justin Warnock said that he could not support the motion and noted that farmers are getting compensated through the GLAS scheme and this is a huge benefit to local farmers and the local community.

Councillor Seadhna Logan called for a review of the NHA's.

Councillor Sean McGowan noted that alot of the NHA maps are going back a long time and they need to be revisited and updated.

Councillor Des Guckian said that he protested against the Department's dictatorial actions, per the National Parks and Wildlife Service and other agencies, in designating large areas of our County as SACs, NHAs, etc and he noted that people are not aware of the wide consultation process.

Councillor Pádraig Fallon noted that there is no designated "Hen Harrier" site in Leitrim these areas are only associated with "Hen Harrier".

Councillor Justin Warnock disagreed with Councillor Fallon and said that farmers are being paid through the GLAS Scheme for "Hen Harrier Sites".

Councillor Des Guckian proposed that this motion be also sent to the National Parks and Wildlife under the auspice of the Department of Culture, Heritage and the Gaeltacht.

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

"That Leitrim County Council write to the Department of Agriculture, Food and the Marine to protest against the Department's dictatorial actions, per the National Parks and Wildlife Service and other agencies, in designating large areas of our County as SACs, NHAs, etc. The scientific basis for such designations has not been explained to the people of County Leitrim and neighbouring counties and such designations are proving to be detrimental and limiting for the incomes and the livelihoods of people in such areas. I request that this motion be forwarded to other Local Authorities seeking their support."

**18/55**

**05/03/2018**

**Planning Processes**

The Cathaoirleach, Councillor Finola Armstrong McGuire proposed that Motion No 29 in the name of Councillor Caillian Ellis would be taken concurrently as they both relate to the same matter. This was agreed by the Members

***To consider the following Notice of Motion submitted by Councillor Caroline Mulvey;***

"I call on Leitrim County Council to urgently review and overhaul the current planning processes in County Leitrim and to put pressure on the Minister for Housing and Planning, Eoghan Murphy to do so in order to help save the future of this County."

**Report by Director of Services, Economic Development, Planning,  
Environment and Transportation**

"While it has not been explicit it is assumed that this Notice of Motion relates to the granting of planning permission for individual one off houses in the countryside. This matter has been the subject of much Council debate in the context of the underlying soil conditions in Co. Leitrim not being suitable to satisfy the soil percolation requirements of the EPA Code of Practice; Wastewater Treatment Systems for Single Houses (2009). The Code of Practice is in turn relied upon in the Building Regulations 2010 (H - Drainage and Waste Water Disposal) in demonstrating that the treatment and disposal of wastewater from a dwelling is not prejudicial to public health.

This Council has been advocating a strong view that adherence to the EPA Code of Practice effectively means only very limited options for planning permission for individual one off houses in the countryside and that such a situation is unacceptable. However, until a solution or compromise is found whereby the treatment and disposal of wastewater treatment is not found to be in contravention of the EPA Code of Practice and by association, the Building Regulations, planning permission cannot be granted where there are concerns in relation to ground and surface water pollution and public health concerns arising from such development. Significant efforts are on going in devising a pilot programme to demonstrate that alternative means of treatment and disposal which are not prejudicial to public health is available and proven which then could be used as a basis to seek general application."

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

"I propose that Leitrim County Council invite the EPA and the Minister for Housing, Planning and the Environment to discuss the problems that zero discharge from septic tanks is causing in relation to people getting planning permission for a rural house."

**Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"It is respectfully considered that this Notice of Motion potentially overlaps with that of No. 26 above as it is the matter of the underlying nature of the sub soils which are present across the majority of our county that the soil percolation tests fail to meet the acceptable percolation rates required pursuant to the EPA Code of Practice and such sites are deemed unsuitable for discharge of treated wastewater or effluent to ground. Whilst the EPA Code of Practice is presently under review, it is not anticipated that a slight expansion of the acceptable parameters for a't' value of 90 to 120 will bring a significant number of additional sites through the planning permission process. It is therefore considered that the nature of correspondence with the Minister and the EPA should relate in the first instance to the EPA Code of Practice and associated building control regulations and then to the pilot programme."

Councillor Caroline Mulvey cited that the current planning processes in County Leitrim were unrealistic. Planning Permission approved for 25 houses in 2016 and 9 in 2017 and 60ft to 70ft trees can be planted without planning permission.

Councillor Caillian Ellis proposed that a letter issue to the EPA and the Minister for Housing, Planning and the Environment to discuss the problems that zero discharge from septic tanks is causing in relation to people getting planning permission for a rural house. Councillor Caillian Ellis stressed that this is a very important issue and something needs to be done quickly in this regard as it will affect our rural football clubs/schools.

Councillor Mary Bohan, Councillor Enda Stenson and Councillor Sean McGowan supported the motions and acknowledged the work of Bernard Greene, Senior

Planner and Joseph Gilhooly, Director of Services in this regard.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation advised that due to the underlying nature of the sub soils which are present across the majority of our county that the soil percolation tests fail to meet the acceptable percolation rates required pursuant to the EPA Code of Practice and such sites are deemed unsuitable for discharge of treated wastewater or effluent to ground. Whilst the EPA Code of Practice is presently under review, it is not anticipated that a slight expansion of the acceptable parameters for a't' value of 90 to 120 will bring a significant number of additional sites through the planning permission process. The nature of correspondence with the Minister and the EPA should relate in the first instance to the EPA Code of Practice and associated building control regulations and then to the pilot programme.

Councillor Sean McDermott expressed his disappointment and stressed "all that is needed is a level playing field". This issue is effecting all of the County, our townlands/schools are dying and people want to come to Leitrim and we can't facilitate them.

Councillor Paddy O'Rourke stressed that the cost of the scheme is prohibitive.

Councillor Justin Warnock highlighted that afforestation still continues and referred to the systems currently in operation in Fermanagh and Wales and queried if these have been looked at.

Councillor John McCartin emphasised that it will not be possible to get a Zero Discharge.

Councillor Gerry Dolan sought clarification on situations where existing Septic Tank Inspections under the National Inspection Scheme fail the T-Test if homeowners will have to leave their home. Joseph Gilhooly, confirmed that people who fail their T-Test will not have to leave their home.

Councillor Brendan Barry sought clarification if Leitrim has a very hard line on these tests and he noted that rumours from other local authorities are that they are not as strict.

Mr Joseph Gilhooly confirmed that the T-test is a very simple process and is on a pass or fail basis. Mr Gilhooly confirmed that he and the Senior Planner are available to talk to anyone on this issue.

**18/56**  
**05/03/2018**      **Footpaths and Public Lighting**

***To consider the following Notice of Motion submitted by Councillor Padraig Fallon;***

"I ask Leitrim County Council to provide a breakdown, list of locations where footpaths and Public lighting have been installed since the beginning of 2017."

**Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"Footpaths and public lighting have been installed at the following locations under the Clar Program: Carrick Road Drumshanbo, Annaduff and Newtowngore along with works ongoing at Leitrim Village in regard to the Blueway. Works were also carried out under the Town and Village Program in Kinlough and Mohill."

Councillor Pdraig Fallon acknowledged from the list he received all of the sites identified bar one are in South Leitrim. Councillor Fallon sought clarification on what criteria is taken into consideration when locations for public footpaths and lighting are being decided upon. Cllr Fallon called for an equal spend across all the three Municipal Districts.

Mr Shay O'Connor, Senior Engineer confirmed that all the works at above locations listed were carried out under the CLAR and Community Schemes and that there was no discrimination between North and South.

Mr O'Connor advised that if this scheme is in place this year, the Local Authority will work with the Community Groups.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation advised that the scheme was dependent on local communities coming forward and providing matching funds.

Councillor Mary Bohan said it was outrageous that the public is asked to provide footpaths and lighting and Leitrim County Council hasn't got the funding.

**18/57**  
**05/03/2018**

**Afforestation**

The Cathaoirleach, Councillor Finola Armstrong McGuire proposed that Motion No 33 in the name of Councillor Justin Warnock and Motion No 41 in the name of Councillor Gerry Dolan would be taken concurrently as they both relate to the same matter. This was agreed by the Members

***To consider the following Notice of Motion submitted by Councillor Sinead Guckian;***

"At the March meeting of Leitrim County Council, in light of the presentation from the Forest Services at our January meeting, and particularly their comment which stated that the current Leitrim County Development Plan is very favourable towards forestry, I will seek the support of the members to consider commencing the process to amend the current County Development Plan to address the growing concerns for our communities and sustainable development because of afforestation. Concerns

which include the over-concentration of forestry planting in the county and the monoculture of silka spruce plantations."

### **Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"In consideration of a proposal to vary the County Development Plan in this regard there a number of points to which the Council must take cognisance.

Firstly, no change to policy within the County Development Plan can seek to remove a statutory entitlement from a landowner. In this regard, initial afforestation (not defined within planning legislation) is exempted development and does not require planning permission and therefore the varying of the Development Plan will not remove such an entitlement. The only provision within the legislation to remove the exemption for forestry would be that such afforestation would interfere with the character of a landscape or a view or prospect of special amenity value or special interest, the preservation of which is already enshrined as an objective of the Development Plan.

Secondly, the afforestation of agricultural land is supported by Government incentives whose aim is to increase long-term timber supply to support the development of a sustainable processing sector and offers significant carbon sequestration potential, thereby contributing to national greenhouse gas mitigation targets and the bio-economy. It is therefore considered that the national policy position is one of broad support for afforestation albeit balanced with the need to protect the quality, distinctness and character of the Irish rural landscape. Care is therefore required in this regard to ensure that the resultant policy framework contained in a varied Development Plan is consistent with Government policy. This aspect of government policy coupled with the need for a proposed Variation to be positive in nature does have a limiting factor on the scope of any such variation.

Thirdly, the County Development Plan 2015-2021 is due for review later this year with the formal process commencing in February 2019. It is considered that such matters could be more readily assessed in the context of a full Development Plan review. In addition there is no provision of a budget or resource available to the Council as this time to undertake a variation of this nature which would costly in regard to the need for evidence based recommendations of a revised Landscape Character Assessment and the preparation of Strategic Environmental Assessment and Appropriate Assessment of the proposed Variation all of which would require external expertise.

However, the Planning Authority having being conscious of the concerns expressed through the Strategic Policy Committee and the full Council on this issue is committed to using the opportunity of submissions on licence applications to reflect these concerns in a more robust way which can be monitored over a short period of time to determine the impact of such submissions to the Forest Service as the decision maker on applications."

***To consider the following Notice of Motion submitted by Councillor Justin Warnock;***

"I ask the Elected Members to amend the County Development Plan 2015 - 2021 in relation to forestry, as it does not protect our farmers, our rural communities or the environment of County Leitrim from the subsidised violation and exploitation of our farmland by speculators, hedge funds and vulture funds."

**Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"While the response provided to Notice of Motion No. 28 effectively deals with this matter there is one further point which requires consideration in this regard. When an application for afforestation (or indeed an application for felling) is submitted to the Planning Authority and District Engineer for comment, there is no name provided by whom the application is being made. It is assumed that this is for data protection purposes. In any event the Planning Authority is not in a position to consider the nature of the applicant i.e. whether it is a local farmer or landowner or an investment fund. The proposed development is assessed on the basis of the manner in which the proposal adheres proper planning and sustainable development of the area."

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

"I call on this Council to make a submission to the Department of Forestry that forestry grants and premiums should be only paid to residents that plants their land or part of it and a guarantee be given that if that forestry is sold off before the 15 year grant ends, the payments cease and are not to be paid to anyone outside Leitrim. Also that any plantations would be only native trees such as Ash, Oak or Beech (natives) which would mean changing our Development Plan."

**Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"While the proposal to vary the County Development Plan has been substantially dealt with in the response to Notice of Motion No. 28 it is important to note that the County Development Plan cannot influence the nature of which species of trees to plant as such development is exempted development."

Councillor Sinead Guckian expressed her concern in relation to the comment received from the Forest Service at the January Council meeting that the current Leitrim County Development Plan is very favourable towards forestry, and she sought the support of the members to consider commencing the process to amend the current County Development Plan to address the growing concerns for communities and sustainable development because of afforestation and to ensure that proper planning is going forward. Councillor Guckian welcomed the last line of the reply to her motion.

Councillor Justin Warnock insisted something needs to be put in place to curtail afforestation. Councillor Justin Warnock paid tribute to the "Save Leitrim Group" who

were outside the offices of Leitrim County Council earlier this morning and who also staged a protest when the Minister was in the County last month.

Councillor Gerry Dolan noted that amendment be made to his motion that it should read call on "Minister". Councillor Dolan also paid tribute to the "Save Leitrim Group".

Councillor Mary Bohan supported Councillor Sinead Guckian's motion. Councillor Mary Bohan proposed that a letter issue to the Minister requesting that all afforestation and felling be subject to Planning Permission and this to be circulated to all Dail Deputies.

Councillor Mary Bohan proposed that a big Campaign be organised which should include "Save Leitrim Group", "Hill Farmers Group", and "IFA and they all need to get more involved nationally and locally.

Councillor Sean McGowan supported all motions in this regard and re-iterated the need to change our County Development Plan and that all afforestation should be subject to Planning Permission.

Councillor Brendan Barry sought clarification on what legal power Leitrim County Council would have to make a change in this regard to the County Development Plan.

Councillor Pdraig Fallon cited that to tackle afforestation there needs to be the same level of funding directed to farming as afforestation.

Councillor Paddy O'Rourke stated that 60 ft trees shadowing your property for approximately 30 years is not a crop. The sooner this issue is sorted the better.

Councillor Enda Stenson stated that afforestation should be subject to Planning Permission, the current system is only an observation.

Councillor Des Guckian did not support the motions and did not agree that the trees noted in Councillor Gerry Dolan's motion were native trees.

Councillor Felim Gurn and Councillor Frank Dolan supported all three motions in this regard.

Councillor Caroline Mulvey sought clarification as to where Leitrim County Council stands on the soil and the diversity section.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation advised that in considering a proposal to vary the County Development Plan in this regard there are a number of points as covered in the replies to the motions which the Council must take into account. He also advised that the County Development Plan 2015-2021 is due for review later this year with the formal process commencing in February 2019 and it is considered that such matters could be more readily assessed in the context of a full Development Plan review.

Councillor Brendan Barry queried as to what it would cost to amend the County Development Plan.

Mr Bernard Greene, Senior Planner advised that there is no provision of a budget or resource available to the Council at this time to undertake a variation of this nature which would be costly in regard to the need for evidence based recommendations of a revised Landscape Character Assessment and the preparation of Strategic Environmental Assessment and Appropriate Assessment of the proposed Variation all of which would require external expertise.

Mr Joseph Gilhooly advised that the Economic, Development, Enterprise & Planning Strategic Policy Committee needs to meet again in this regard and consider the issue further.

Councillor Des Guckian queried as to when the Mid-term Review was carried out on the County Development Plan.

Mr Bernard Greene, Senior Planner advised that this Mid Term Review took place last year.

It was agreed by the Members that the proposal to amend the County Development Plan in relation to forestry will go back to the SPC for further consideration, then to the Corporate Policy Group and the recommendation will come back before the full Council for adoption.

**Proposed by Councillor Gerry Dolan, seconded by Councillor Sean McGowan AND RESOLVED:**

"That Leitrim County Council call on the Minister with responsibility for Forestry that forestry grants and premiums should be only paid to residents that plants their land or part of it and a guarantee be given that if that forestry is sold off before the 15 year grant ends, the payments cease and are not to be paid to anyone outside Leitrim. Also that any plantations would be only native trees such as Ash, Oak or Beech (natives) which would mean changing our Development Plan."

**18/58  
05/03/2018**

**Upgrade of the N4**

***To consider the following Notice of Motion submitted by Councillor Brendan Barry;***

"I request that Leitrim County Council call on the Taoiseach, Leo Varadkar and his Government to fastrack the upgrade of the N4 between Mullingar and County Leitrim, Carrick on Shannon and Castlebaldwin to Collooney. While we welcome that they are included in the National Development Plan, we need to see these projects swiftly brought to construction phase and completion."

Councillor Brendan Barry cited that when the N4 between Mullingar and County Leitrim, Carrick on Shannon and Castlebaldwin to Collooney motorway is upgraded

more industries will be attracted to come into the county.

Councillor Sean McGowan supported this motion and said that he hoped it is not just a spin as this County needs good access from the Capital.

**Proposed by Councillor Brendan Barry, seconded by Councillor Sean McGowan AND UNANIMOUSLY RESOLVED**

"That Leitrim County Council call on the Taoiseach, Leo Varadkar and his Government to fastrack the upgrade of the N4 between Mullingar and County Leitrim, Carrick on Shannon and Castlebaldwin to Collooney. While we welcome that they are included in the National Development Plan, we need to see these projects swiftly brought to construction phase and completion."

**18/59**

**05/03/2018**

**Tour Guide for Sean McDermott's homestead**

***To consider the following Notice of Motion submitted by Councillor Felim Gurn;***

"I ask the Executive to report on the progress made with the OPW regarding the employment of a tour guide for Sean McDermott's homestead and the proposed opening hours for guided tours."

***Report by Director of Services, Housing and Community, Corporate Services, Cultural and Emergency Services***

"The current opening hours of the Heritage Centre are as follows

Monday – Friday 10 am to 4 pm. Tours are being provided through the Heritage Centre to Sean MacDiarmada House.

The Council is currently engaging with the Local Community Group in relation to extending the opening hours."

Councillor Felim Gurn cited that weekend hours need to be extended for the Summer season. Councillor Des Guckian, Councillor Padraig Fallon, Councillor Mary Bohan and Councillor Justin Warnock supported the motion. Councillor Justin Warnock said this iconic structure belongs to the people of this country and this will boost tourism numbers to North Leitrim.

**18/60**

**05/03/2018**

**Ambulance Service**

The Cathaoirleach, Councillor Finola Armstrong McGuire proposed that Motion No 40 in the name of Councillor Frank Dolan would be taken concurrently as they both relate to the same matter. This was agreed by the Members

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

"I seek the support of the Members of Leitrim County Council with regard to the Ambulance Service here in Leitrim and that we contact the HSE Regional Ambulance Office in Castlebar to ask them why there is such a delay at times in responding to emergencies within the County?"

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

"In response to the Leitrim Public Participation Network I ask that we write to the National Ambulance Service to express the many concerns that exist in relation to the long delays in responding to emergencies in the county."

Councillor Sean McGowan asked Councillor Caillian Ellis, Councillor Felim Gurn and Councillor Finola Armstrong McGuire who are Members of the Health Forum to raise this issue with the HSE Forum.

Councillor Frank Dolan and Councillor Mary Bohan supported the motions.

Councillor Des Guckian noted lack of funding is the issue in this regard.

Councillor Brendan Barry said the ratio of Ambulances to the population for the whole region is an issue. Councillor Barry queried if there was any possibility that the Fire Service could be trained up to be paramedics and if an ambulance could be made available by Leitrim County Council.

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

"That Leitrim County Council with regard to the Ambulance Service here in Leitrim contact the HSE Regional Ambulance Office in Castlebar to ask them why there is such a delay at times in responding to emergencies within the County?"

"That Leitrim County Council in response to the Leitrim Public Participation Network write to the National Ambulance Service to express the many concerns that exist in relation to the long delays in responding to emergencies in the county."

18/61  
05/03/2018

**Development of the Blueway**

***To consider the following Notice of Motion submitted by Councillor Finola Armstrong-McGuire;***

"Please provide a report on the progress to date of the development of the Blueway that will be the extension of the Drumshanbo to Battlebridge and into Carrick on Shannon walkway? Public anticipation of the extension is high and some dates for completion should be available. What is the current stage in planning? What is the timescale to completion?"

**Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"This project consists of three different elements and is being carried out by Leitrim County Council in conjunction with Waterways Ireland. The three different elements include

1. Leitrim Village to Carrick on Shannon
2. Leitrim Village to Kilclare
3. Acres Amenity to Lough Allen

In element 1, works has commenced on the section adjacent to the road, south of Leitrim Village. Detailed design is being finalised on the off road section and it is hoped that this will be advertised for Part 8 public consultation in the coming month.

In element 2, Part 8 public consultation has been approved and tender documents are currently being prepared with a view to having a contractor on site in the coming months. Work along the Drumshanbo canal in Element 3 has being completed and the section from Drumshanbo Lock at Blackrock to Lough Allen is currently at Detailed design Stage. It is planned to have all of these works completed by the end of the current year, in accordance with the timeline agreed with the department. On completion of these 3 elements along with a further extension between Leitrim and Kilclare the County will have a 22 KM greenway and blueway. Experience to date has demonstrated significant contributions to local benefit and of tourism interest."

Councillor Finola Armstrong McGuire welcomed the reply.

Councillor Gerry Dolan cited that there was no toilet facilities in place on the walkway and proposed that a toilet be made available.

Mr Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment and Transportation agreed to look at this.

18/62  
05/03/2018

**Leader Programme**

**To consider the following Notice of Motion submitted by Councillor Seadhna Logan;**

"The current Leader Programme has become nothing short of a nightmare for communities seeking much needed funding in terms of the bureaucracy and delays. Can we get a detailed breakdown of where we are at in Leitrim with regards to funding allocated and finalised to approved projects thus far?

As it was recently confirmed through parliamentary questions that the current Leader Programme has only paid out €661,844 or 0.3% of the €250 million European Fund, as compared with 4.4% of a €400m fund paid during the same 18 month period of the previous programme."

**Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"The Calls for Expressions of Interest (EOI's) opened in 2016 under the following themes

- Rural Tourism
- Enterprise Development
- Rural Towns
- Basic Services
- Rural Youth
- Renewable Energy

While significant numbers of expression of interest were received, (circa 400) approximately seventy five of the EOI's received have since progressed to full applications.

To date, the LAG has approved 22 projects to the value of €715,035.27. The pace of activity has increased significantly in recent times and it is expected that possibly €2.3 million project approval will issue in 2018 representing in excess of 50% of the program which is running until 2021. In addition, a number of amendments to the Operating Rules have been issued in 2017 which has had a positive effect on the operation of the programme."

Councillor Seadhna Logan noted that 75 expressions of interests were received which represents 18% and he asked for a breakdown of the following

- per Municipal District
- what changes were made
- what pillars are still open
- breakdown of the 22 projects approved

Mr Terry McGovern, A/Senior Executive Officer advised that Leitrim County Council are

- working with the 75 expressions of interest at the moment. It has been very slow to date with the first letter of offer just issued before Christmas.
- Major changes have taken place in procurement – an estimate has to be put

- One closed call has funding of a maximum of €850,000
- Breakdown of the 22 projects will be circulated to the Member in due course.

Councillor Mary Bohan expressed her disappointment in the scheme in that it is so technical and very unfair for community groups and that the scheme is oversubscribed.

Councillor Seadhna Logan stated that he hoped that Leitrim will not be sending any of the money back or that it be diverted to roads or LIS scheme.

**18/63**

**05/03/2018**

**MBNA**

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

"Today is the start of another phase in the History of this Local Authority and Leitrim in General. I am asking what progress has been made, in our efforts to secure new Employment into the offices of the former MBNA building, the recession has passed and it's time positive moves were made to bring further employment into Leitrim. May I also say that this is not the only building available for rent in this County."

***Report by Director of Services, Economic Development, Planning, Environment and Transportation.***

"Leitrim County Council is exceptionally aware of the need for the continuous efforts to creates jobs in the County. Numerous sectors and initiatives have and continue to be implemented in conjunction with relevant partners and stakeholders. A review of what is now known as the Business Incentive Scheme providing a range of supports aimed at the reuse of vacant town centre property has been completed and will be promoted actively in the coming months. In addition funding has been received to provide further workspace at both the HIVE in Carrick on Shannon and the Food Hub in Drumshanbo. Specifically in regard to the Carrick on Shannon Campus the Council engages regularly with the IDA with a meeting on the matter recently. I would like to assure the Members that the IDA working with the Council is extremely committed to securing an investment at this location and it is hoped that some of the enquires and visits will translate into a successful outcome."

Councillor Enda Stenson highlighted that Leitrim is a good county and more jobs are vital to the county. Councillor Enda Stenson proposed that the IDA secure investment in the county and create employment for the people. Councillor Stenson noted that Leitrim County Council has not being employing people in the Local Authority and more staff are needed.

All Members supported the motion.

Councillor Brendan Barry proposed that internships should be accommodated during the summertime as this would create valuable experience and be of great benefit for

them to have on their CV's.

**18/64**

**05/03/2018**

**Chiropody Services**

The Cathaoirleach, Councillor Finola Armstrong McGuire proposed that Motion No 39 in the name of Councillor Mary Bohan would be taken concurrently as they both relate to the same matter. This was agreed by the Members

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

"I ask that Leitrim County Council contact the HSE to impress upon them the great inconvenience and hardship that has been inflicted upon elderly persons because of a lack of chiropody services and that we would ask them to immediately have the backlog that has accumulated dealt with."

***To consider the following Notice of Motion submitted by Councillor Mary Bohan;***

"I propose that Leitrim County Council call on the HSE to re-instate chiropody services in County Leitrim as a matter of urgency. This service has not been provided since December 2017."

Councillor Mary Bohan proposed that the chiropody services be re-instated in Leitrim that the HSE needs to have a contingency plan in place. Councillor Bohan noted that there is some service in Ballinamore but none in Carrick-on-Shannon. Councillor Mary Bohan cited that there is no accountability and there is no commitment as to when the service will be replaced. She noted that there is no Doctor on call in Our Lady's Hospital, Manorhamilton from 6.00 pm until 7.00 am the next morning. Councillor Mary Bohan referred to the situation where the HSE tried not to replace the Doctor in Drumkeerin. Councillor Mary Bohan stressed that it is important that this service is in place in order to help and keep older people in their own homes. Councillor Mary Bohan proposed that all TD's in this constituency be asked to put this question forward in the Dail for debate.

Councillor Seadhna Logan supported the motions and he advised that he was informed last week that the HSE applied for Agency Services and to date this has not been approved.

**Proposed by Councillor Paddy O'Rourke, seconded by Councillor Mary Bohan  
AND UNANIMOUSLY RESOLVED**

"That Leitrim County Council contact the HSE to impress upon them the great inconvenience and hardship that has been inflicted upon elderly persons because of a lack of chiropody services and that we would ask them to immediately have the backlog that has accumulated dealt with".

"That Leitrim County Council call on the HSE to re-instate chiropody services in

County Leitrim as a matter of urgency. This service has not been provided since December 2017."

**18/65**

**05/03/2018**

**Local Improvement Scheme**

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

"I ask Leitrim County Council to have a re-look at the present Local Improvement Scheme. In some cases a lot of the funding is spent in or around the dwelling house. With the present condition of laneways, I believe that the funding should be spent on the laneways and not in and around the homestead."

**Report by Director of Services, Economic Development, Planning, Environment and Transportation**

"A review of the LIS scheme in the county was carried out at a recent SPC meeting the outcome of which is being presented at this month's Council meeting. The review did make reference to the matter raised."

The Business of the meeting concluded at 4.45 pm

**Signed**

**Cllr Finola Armstrong McGuire  
Cathaoirleach**

**Joan Lowe  
Meetings Administrator**

**Dated: 8<sup>th</sup> May 2018**