

Minutes of Meeting of Leitrim County Council held in the Council Chamber, Aras an Chontae, Carrick-on-Shannon on Monday, 2nd November, 2015

Members Present: Councillor Armstrong–McGuire, Finola
Councillor Barry, Brendan
Councillor Bohan, Mary
Councillor Gerry Dolan
Councillor Dolan, Frank
Councillor Fallon, Pdraig
Councillor Ellis, Caillian
Councillor Guckian, Des
Councillor Guckian, Sinead
Councillor Gurn, Felim
Councillor Kenny, Martin
Councillor Logan, Seadhna
Councillor McDermott, Sean
Councillor McGowan, Sean
Councillor O'Rourke, Paddy
Councillor Stenson, Enda
Councillor Warnock, Justin

And Councillor John McCartin, Cathaoirleach presiding

Officials Present: Mr. Frank Curran, 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. John McKeon, A/Head of Finance & Water Services
Mr Bernard Greene, Senior Planner
Mr. Shay O'Connor, Senior Engineer, Infrastructure
Ms. Sinead Flynn, Meetings Administrator
Ms. Kathleen McGovern Ellis, Assistant Staff Officer

15/153

02/11/2015 Votes of Sympathy

The Members extended a vote of sympathy to the following:

- Shelia Guckian & Family, Scardaun, Keshcarrigan, Co Leitrim on the death of her father Sean Guckian.
- Marie McGloin, Laghty Barr, Glenfarne, Co Leitrim on the death of Denis McMorrow.
- Sean Anthony McDermott, Camderry, Glenfarne, Co Leitrim on the death of John P. McDermott.
- Elizabeth Annie Murphy, Tawnaleck, Rossinver, Co Leitrim on the death of Frank Murphy.
- Pamela McDermott, Brisscloonagh, Glenfarne, Co Leitrim on the death of Terry McDermott.
- Mary Devins, Russaun West, Manorhamilton, Co Leitrim on the death of Seamus Devins.
- Gerard Keaney, Tawnyfeacle, Manorhamilton, Co Leitrim on the death of John Keaney.
- Bridget Brogan, Drumhall, Drumshanbo on the death of Patrick Brogan.
- Eileen McTeague & Family, Killaphort, Garadice, Ballinamore on the death of Seamus McTeague.
- The Family of the Late Francis McNally, Cattan, Mohill, Co Leitrim.

- The Family of the Late Pat Reilly, Cornageeha, Mohill, Co Leitrim.
- The Family of the Late Thomas McKeon, Lisacarn, Ballinamore, Co Leitrim
- The Family of the Late John Creamer, Stradermot, Ballinamore, Co Leitrim
- The Family of the Late Frank Donohoe, Gortermore, Carrigallen, Co Leitrim
- Padraig Reynolds, Acoon, Gorvagh, Mohill, Co Leitrim on the death of Kitty Reynolds.
- Kathleen Charles, Drumbinnish, Carrigallen, P.O., Co Leitrim on the death of Vincent Charles.
- Damien Hamill, High Street, Ballinamore on the death of Anna Riordan.

15/154

02/11/2015 Deimhniu Miontuairisci

Proposed by Councillor Paddy O'Rourke seconded by Councillor Caillian Ellis and UNANIMOUSLY RESOLVED:

"That the Minutes of the Meeting of Leitrim County Leitrim held in Aras An Chontae, Carrick-on-Shannon, Co Leitrim on Monday, 7th September, 2015 be adopted".

15/155

02/11/2015 Development of a Blueway Trail

Report Ref 15-C-01 from Mr. Frank Curran, Chief Executive in relation to the development of a Blueway Trail from Acres Lakes Drumshanbo to Battlebridge comprising the construction of a timber/steel boardwalk and bound path around the foreshore of Acres Lake, linking into proposed new unbound paths and existing paths along the Lough Allen Canal in accordance with the Planning & Development Acts, 2000-2015 and Part 8 of the Planning and Development Regulations 2001-2015, as circulated to the Members, appears as **Appendix 1** to the Minutes of this meeting in the Minute Book.

Proposed by Councillor Enda Stenson, seconded by Councillor Gerry Dolan AND UNANIMOUSLY RESOLVED;

"That the development of a Blueway Trail from Acres Lakes Drumshanbo to Battlebridge comprising the construction of a timber/steel boardwalk and bound path around the foreshore of Acres Lake, linking into proposed new unbound paths and existing paths along the Lough Allen Canal be approved".

15/156

02/11/2015 Special Speed Limit Bye- Laws 2015 for County Leitrim

Report dated 27th October, 2015 from Mr. Joseph Gilhooly, Director of Services, Economic Development, Planning, Environment, and Transportation recommending the Special Speed Limit Byelaws 2015 in accordance with Section 9 of the Road Traffic Act 2004 and Part 19 of the Local Government Act, 2001, for the purpose of revising the areas covered by special speed limits in various towns and villages throughout County Leitrim, as circulated to the Members, appears as **Appendix 2** to the Minutes of this meeting in the Minute Book.

Mr Shay O'Connor, Senior Engineer informed the Members that the Draft Speed Limit Bye-Laws had been referred to the Chief Superintendent for Sligo Leitrim Garda Division and to the local Garda Superintendent in Carrick on Shannon. He outlined that the Gardai had raised no objection to the proposal. Mr. O'Connor also confirmed that the speed limit bye laws do not apply to private housing estates not taken in charge by Leitrim County Council.

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

“That the Special Speed Limit Byelaws, 2015 for the County of Leitrim be adopted.

15/157

02/11/2015 Monthly Management Reports by the Chief Executive

Monthly Management Reports for the period 1st August, 2015 to 31st August, 2015 and 1st September, 2015 to 30th September, 2015 by Mr. Frank Curran, Chief Executive, dated 11th September, 2015 and 14th October 2015 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, appear as **Appendix 3** and **Appendix 4** to the Minutes of this meeting in the Minute Book.

The reports as circulated were noted by the Members.

15/158

02/11/2015 Overdraft Accommodation

Notice to approve overdraft accommodation in the sum of €1.5 million for the twelve month period ending 31st December, 2016 subject to the sanction of the Minister for the Environment, Community and Local Government in accordance with Section 106 (2) of the Local Government Act 2001 as amended.

Proposed by Councillor Frank Dolan seconded by Councillor Enda Stenson AND UNANIMOUSLY RESOLVED;

“That overdraft accommodation in the sum of €1.5 million for the twelve month period ending 31st December, 2016, subject to the sanction of the Minister for the Environment, Community and Local Government, in accordance with Section 106 (2) of the Local Government Act, 2001 as amended, be approved”.

15/159

02/11/2015 Section 138 (1) of the Local Government Act 2001

Ms. Sinead Flynn, Meetings Administrator outlined that there were no commitments to note under this item.

15/160

02/11/2015 Corporate Policy Group Report

Ms. Sinead Flynn, Meetings Administrator gave an overview of the items considered by the Corporate Policy Group at their meeting held prior to the Council meeting:

- **Update on Budget 2016:** The CPG were given an update in relation to Budget 2016 and they agreed that the date of the meeting for Monday 23rd November, 2015.
- **Date and location of the January Council Meeting:** The CPG agreed the date of the meeting for Monday, 11th January, 2016 in the Community Centre, Kiltyclogher, Co. Leitrim at 11.00 a.m.
- **Special Meeting of Leitrim County Council:** The CPG agreed the date of a Special Meeting of Leitrim County Council to approve the nomination of a Representative to the Governing Body of the National University of Ireland (NUI Galway) for Monday 11th January, 2016 in the Community Centre, Kiltyclogher, Co. Leitrim at 10.30 a.m.
- **Correspondence from Irish Congress of Trade Unions (ICTU):** The CPG agreed to facilitate an address by a Congress Representative to a meeting of Elected Members at the Council Meeting on Monday 16th January, 2016.
- **Leitrim County Council's Polling Scheme:** Ms. Flynn informed the Members that arising from a recent query from the Department of the Environment, Community & Local Government that it is necessary to update Leitrim County Council's Polling Scheme. She outlined that this process would commence in January, 2016 by placing the updated Scheme on public display and that the adoption of the Polling Scheme is a reserved function that will be considered by the Members in March, 2016.
- **Questionnaire Survey of Elected Members:** The Members were requested to complete a survey issued by the Department of the Environment, Community & Local Government in relation to the Local Government Reform Act, 2014 with all completed survey/questionnaires to be returned on or before Friday 27th November, 2015.

Ms. Flynn concluded by stating that the CPG also considered agenda items for the Council meeting and approved the attendance of members at forthcoming conferences and training seminars.

This update was noted by the Members.

15/161

02/11/2015 Winter Service Maintenance Plan 2015/2016

The Leitrim County Council Winter Service Maintenance Plan 2015/2016 as circulated to the Members appears as **Appendix 5** to the Minutes of this meeting in the Minute Book.

Mr. Shay O'Connor, Senior Engineer, Infrastructure gave a detailed presentation in relation to the Winter Services Maintenance Plan. A copy of the presentation as delivered, and as circulated to the Members, appears as **Appendix 6** to the Minutes of this Meeting in the Minute Book.

Mr. O'Connor advised that an advertisement will be published in the Local newspaper in the coming weeks with regard to the sale of salt bins to members of the public. A detailed discussion

in relation to the Winter Maintenance Plan ensued and the Members raised concerns in relation to the following items:

- The exclusion of a number of locations in the county where the roads are not gritted.....

The Leitrim County Council Winter Service Maintenance Plan 2015/2016 was noted and agreed by the Members.

15/162

02/11/2015

Conferences/Training

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

“That the attendance of Councillor Paddy O’Rourke and Councillor Caillian Ellis at the AILG Training in the Red Cow Hotel, Dublin on “Septic tanks, Ground Water and Water Pollution and Registration of Lobbying Act 2014” on 14th November, 2015 be approved”.

“That the attendance of Councillor Frank Dolan and Councillor Justin Warnock at the Conference on “EU Cohesion Policy” 2014 -2020” at the Four Seasons Hotel, Carlingford, Co Louth on 11th December to 13th December, 2015 be approved”.

“That the attendance of Councillor Finola Armstrong McGuire at the Tourism Conference in the Longford Arms Hotel in Longford on the 29th July, 2015 be retrospectively approved.”

“That the attendance of Councillor Finola Armstrong McGuire at the LCDC Regional Meeting in the Longford Arms Hotel, Longford on the 29th July, 2015 be retrospectively approved”.

Proposed by Councillor Enda Stenson, seconded by Councillor Frank Dolan AND UNANIMOUSLY RESOLVED:

“That the attendance of Councillor Sinead Guckian at the AILG Training in the Landmark Hotel, Carrick-on-Shannon on the 27th October, 2015 be retrospectively approved”.

“That the attendance of Councillor Sean McGowan at the AILG Seminar in Inchydoney Island Hotel, Clonakilty, Co Cork on the 1st and 2nd October, 2015 be retrospectively approved”.

15/163

02/11/2015

Meeting Correspondence

The following items were considered under Meeting Correspondence:

1. Letter dated 21st October, 2015 from the Office of the Minister for Transport, Tourism and Sport with regard to additional funding to upgrade the L6196 road.
- 1(a) Letter dated 20th October 2015 from the Office of the Minister for Transport, Tourism and Sport acknowledging receipt of Resolution passed by Leitrim County Council in regard to L6196 road.

2. Letter dated 5th October, 2015 from the Office of the Minister for Foreign Affairs and Trade acknowledging receipt of a Resolution passed by Leitrim County Council with regard to the undocumented Irish residing in the U.S.
- 2(a) Letter dated 14th October, 2015 from the Office of the Minister for Foreign Affairs and Trade with regard to the undocumented Irish residing in the U.S.
3. Resolution passed by Clare County Council with regard to the release of Ibrahim Halawa.
4. Letter dated 5th October, 2015 from the Office of the Minister for Education and Skills acknowledging receipt of a Resolution passed by Leitrim County Council with regard to primary school transport.

Councillor Enda Stenson proposed that the Council seek to arrange a meeting with Minister Damian English in relation to this matter. This proposal was unanimously supported by all Members.

- 4(a) Letter dated 3rd October, 2015 from Bus Eireann with regard to Primary School Transport.
5. Letter dated 13th October, 2015 from the Office of the Minister for the Environment, Community and Local Government acknowledging receipt of a Resolution passed by Leitrim County Council with regard to the proposed re-naming of the N16 - National Primary road to the N1916.
- 5(a) Letter dated 14th October, 2015 from Transport Infrastructure Ireland in regard to the proposed renaming of the N16.
- 5(b) Letter dated 8th October, 2015 from the Office of the Taoiseach acknowledging receipt of a Resolution passed by Leitrim County Council with regard to the proposed renaming of the N16.
6. Letter dated 8th October, 2015 from the Office of the Minister for Health with regard to the GP Services in Drumkeerin.
7. Letter dated 30th September, 2015 from the Office of the Minister for Education and Skills acknowledging receipt of a Resolution passed by Leitrim County Council with regard to the SUSI Grant Scheme.
- 7(a) Letter (not dated, received on 12th October, 2015) from the Office of the Taoiseach acknowledging receipt of a Resolution passed by Leitrim County Council with regard to SUSI Grant Scheme.
- 7(b) Letter dated 30th September, 2015 from the Office of the Minister for Education and Skills acknowledging receipt of a Resolution passed by Leitrim County Council with regard to the assessment of capital assets as part of the third level student loan grant applications.
8. Letter dated 29th September, 2015 from the Office of the Minister for Social Protection acknowledging receipt of a Resolution passed by Leitrim County Council with regard to the Free Travel Scheme.

Councillor Padraig Fallon expressed his disappointment with the response received in this regard. He proposed that a further letter issue to the Minister for Social Protection to

establish if this matter had been considered in the recent budgetary process for Budget 2016.

- 8(a) Letter dated October 2015 from the Department of Social Protection with regard to the eligibility criteria for the free travel pass scheme for people with epilepsy.
9. Letter dated 30th September, 2015 from the Office of the Minister for Agriculture, Food and Marine acknowledging receipt of a Resolution passed by Leitrim County Council with regard to the Beef Data and Genomics Programme.
10. Letter dated 30th September, 2015 from the Office of the Minister for Jobs, Enterprise and Innovation with regard to Liberty Insurance.
11. Letter dated 30th September, 2015 from the Office of the Minister for Agriculture, Food and the Marine acknowledging receipt of a Resolution passed by Leitrim County Council with regard to Single Farm Payments.
- 11(a) Letter dated 3rd September, 2015 from the Office of the Minister for Agriculture, Food and the Marine with regard to the Direct Payment Schemes to Farmers in Ireland.
12. Letter dated 30th September, 2015 from Office of the Minister for Finance acknowledging receipt of Resolution passed by Leitrim County Council with regard to Inheritance Tax.
13. Letter dated 28th September, 2015 from the Office of the Minister for Finance acknowledging receipt of a Resolution passed by Leitrim County Council with regard to mortgage difficulties.
14. Memo dated 27th October, 2015 to the Cathaoirleach and Each Member of Leitrim County Council from the Meetings Administrator with regard to the Regulation of Lobbying Act 2015.

The following items was also raised under Meetings Correspondence

- **Leitrim County Council – Irish Language**

Councillor Brendan Barry and Councillor Sean McDermott proposed that more funding should be made available for the promotion of the Irish language on Leitrim County Council's website. Councillor Caillian Ellis and Councillor Paddy O'Rourke also supported this proposal. Mr. Frank Curran, Chief Executive responded by stating that the matter would be referred to the Housing, Community and Corporate Strategic Policy Committee for consideration. This proposal was agreed by the Members.

- **TEAM HOPE Christmas Shoebox Appeal 2015**

Councillor Sinead Guckian called on the support of all Members to contribute to the Shoebox Appeal. She outlined that the closing date for the receipt of Shoeboxes/donations is Friday, 6th November 2015. Councillor Sinead Guckian also commended Ms. Aoife McDermott and Ms. Patricia Healy for their continued involvement in the project.

15/164
02/11/2015

Vote of Congratulations

The Members extended a vote of Congratulations to the following:

- Mr. Conor Hession, Mill Lane, Carrigallen, Co Leitrim on competing in the World Weight Lifting Championships held in Italy recently.
- Pdraig McBride as a finalist for the EY Entrepreneur of the Year 2015 Programme. Mohill Senior Team on winning the Leitrim Senior Football Championship for 2015.
- St Manchan's Minor Team on winning the Leitrim Minor Championship for 2015.
- Jennifer Wrynne on winning the Best Established Business at the Regional Finals of Ireland's Best Young Entrepreneur and becoming a finalist in the National Final which is due to be held in Dublin in December.
- All the Leitrim Ladies who participated in the Ladies U16 both Shield and Cup Finals.
- Stephen Murphy, Lurganboy in representing Ireland for his poetry.

Part I - Notices of Motion.

15/165
02/11/2015

Drumkeerin National School

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

"I call on the Minister for Education Ms. Jan O'Sullivan and the Department of Education to grant DEIS status to Drumkeerin National School as a matter of urgency."

Councillor Mary Bohan outlined the background to her Notice of Motion and called upon her fellow Members to support her proposal calling on the Minister for Education Ms. Jan O'Sullivan to award Drumkeerin National School DEIS Status. She outlined the discrepancy of Tarmon National School having DEIS Status while Drumkeerin did not and she stated that the socio-economic profile of the children attending the schools were similar yet Drumkeerin school was being disadvantaged as it did not have DEIS Status. Councillor Pdraig Fallon also supported the Notice of Motion and stated that the staff, management and pupils of Drumkeerin National School would benefit greatly if the school was awarded DEIS status.

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

"That Leitrim County Council call on the Minister for Education Ms. Jan O'Sullivan and the Department of Education to grant DEIS status to Drumkeerin National School as a matter of urgency."

15/166
02/11/2015

Garda Stations

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

"I will seek the support of Members in calling on the Minister for Justice, Ms. Frances Fitzgerald T.D and the Garda Commissioner Ms. Noreen O' Sullivan to review the decision taken in 2013 to close rural Garda Stations. This was a money saving move, it was done to cut down on the cost of rural policing and ultimately with the offering of the relevant properties for sale, it has proved to be

a detrimental decision which has left many rural communities vulnerable and fearful. It has sent a message to the criminal world that rural Ireland is there for the taking. Over recent months we have seen an alarming increase in situations where rural communities are being targeted with the result that people particularly the elderly are living in a constant state of fear."

Councillor Sean McGowan said that there has been a lot of concern right throughout communities in relation to the closure of Garda Stations in Leitrim. He outlined that this is a particular issue for older people living alone in rural locations and he called upon his fellow Councillors to support his Notice of Motion. A detailed discussion in relation to the impact of the closure of a number of Garda Stations in Leitrim ensued and the Members unanimously supported Councillor McGowan's Notice of Motion.

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

"That Leitrim County Council call on the Minister for Justice, Ms. Frances Fitzgerald T.D and the Garda Commissioner Ms. Noreen O' Sullivan to review the decision taken in 2013 to close rural Garda Stations. This was a money saving move, it was done to cut down on the cost of rural policing and ultimately with the offering of the relevant properties for sale, it has proved to be a detrimental decision which has left many rural communities vulnerable and fearful. It has sent a message to the criminal world that rural Ireland is there for the taking. Over recent months we have seen an alarming increase in situations where rural communities are being targeted with the result that people particularly the elderly are living in a constant state of fear."

**15/167
2/11/2015**

Provision of Information to Elected Members

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

"That the flow of information to Councillors be improved in the following ways:
That Councillors who are representing the County Council on external bodies/boards supply their fellow Councillors with a short written summary after each meeting.
That County Council Officials make available to Councillors the names of all Contractors employed by the Council doing the various works in which the Council is involved."

Report by Director of Service, Corporate Services & Housing

"The first matter will be referred to the Corporate Policy Group for consideration. With regard to the provision of information regarding Contractors this information is already available to Elected Members via the availability of Executive Orders at the bi-monthly Council meetings and contracts advertised on the E-tenders website have details of contract type and published tender awards. Leitrim County Council also publishes details of all purchase orders in excess of €20,000 on our website in accordance with national procurement guidelines."

Councillor Des Guckian outlined that he had submitted this Notice of Motion in order to improve the level of information available to the Elected Members.

Mr Frank Curran, Chief Executive outlined that the first aspect of Councillor Des Guckian's Notice of Motion will be referred to the Corporate Policy Group for consideration as it relates to a policy matter. Mr. Curran also referred to the second aspect of the Notice of Motion and confirmed that the information sought is already available to the Members in the Manager's Orders Book and on the E-tenders website where details of contract type and published tender awards by Leitrim County Council are available for viewing in accordance with national procurement guidelines.

15/168
02/11/2015

Farmer Supports

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

"I propose that Leitrim County Council call on the Minister and Department of Agriculture to immediately address the deliberate exclusion of 4,000 farmers who despite being under the age of 40 do not qualify for key young farmer supports."

Councillor Padraig Fallon gave the background to his motion and proposed that the Minister for Agriculture immediately address this issue as there are currently 4,000 farmers who despite being under the age of 40 do not qualify for young farmer supports. A detailed discussion in relation to this matter ensued and the proposal was unanimously supported by all of the Members.

Proposed by Councillor Padraig Fallon seconded by Councillor Paddy O'Rourke AND UNANIMOUSLY RESOLVED:

"That Leitrim County Council call on the Minister and Department of Agriculture to immediately address the deliberate exclusion of 4,000 farmers who despite being under the age of 40 do not qualify for key young farmer supports."

15/169
2/11/2015

St Patrick's Hospital, Carrick-on-Shannon, Co. Leitrim.

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

"That Leitrim County Council outright condemns the disgraceful series of cutbacks inflicted on St. Patrick's Hospital, Carrick-on-Shannon in recent years and calls on the current Government and the HSE who facilitated these cuts to protect the current services while demanding the full reinstatement of services stolen from the community in the mis-directed belief that money will be saved and the hospital will be protected in the long-term."

Councillor Seadhna Logan gave the background to his Notice of Motion. He commended the staff working in the hospital for their hard work and dedication and he berated the Government and the Health Services Executive for inflicting a serious of budgetary cuts on the facility which have had serious impacts on patient care and on the staff working in very difficult conditions. A detailed discussion in relation to the current and future situation at St. Patrick's Hospital ensued. The Members referred to the recent public meeting that had been organised by the Friends of St. Patrick's Hospital and the Members were unanimous in their support for Councillor Logan's Notice of Motion.

Cathaoirleach, Councillor John McCartin proposed that Motion No. 16 submitted by Councillor Felim Gurn, Motion No. 22 submitted by Councillor Martin Kenny and Motion No 25 submitted by Councillor Gerry Dolan be considered concurrently as they relate to the same issue. This was agreed by the Members.

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

"Bearing in mind that the parent company of CDM Smith Ireland Limited, the company employed by the Environmental Protection Agency (EPA) on behalf of the Irish people to lead the "Environmental Impacts of Unconventional Gas Exploration & Extraction (UGEE)" research project, has led the fracking industry into Poland and Ukraine, we call on the Minister for Communications, Energy and Natural Resources Mr. Alex White T.D. to direct the EPA to stop the study immediately and to cancel the issuing of supplementary tenders for on-the-ground seismic tests and other monitoring tasks relating to this work. It is plainly absurd for the EPA (or the Minister) to argue that because the company has signed "a conflict of interest declaration as part of the tender documentation" that their track record in this area will not influence their decision making."

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

"I propose that Leitrim County Council demand that the Government intervene immediately to stop the research commissioned by the EPA into Fracking by CDM Smith. This is a clear conflict of interest as CDM Smith is an overtly pro-fracking multinational company which sponsored The Shale Gas World Europe conference in Warsaw in 2013 and has worked for the gas and oil industry all over the world promoting fracking."

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

"Leitrim County Council has been made aware of the growing body of irrefutable evidence regarding the serious and unregulatable risks to human life and health posed by the Unconventional Gas Exploration and Extraction (UGEE) industry. The Council is particularly concerned by the shocking revelations contained in the New York State Health Commission Report of 2014. For this reason, Leitrim County Council requires that the Irish Government and the Northern Ireland Executive, as well as their agents cease and desist from any further activities or other development within County Leitrim which is in any way associated with the Environmental Protection Agency, the Department of Communications, Energy and Natural Resources, the Northern Ireland Environment Agency (EPA - DCENR - NIEA) and the UGEE Joint Research Programme (JRP)."

Councillor Felim Gurn pointed out that a public meeting was held in Glenfarne recently and it called for the EPA to stop the study immediately and to cancel the issuing of supplementary tenders for on-the-ground seismic tests and other monitoring tasks relating to fracking. Councillor Gurn stated that he opposed fracking in all of its formats.

Councillor Martin Kenny relayed his concern in relation to the appointment of CDM Smith to carry out a research study into fracking and stated that there is a clear conflict of interest as the company has worked for gas and oil companies all over the world promoting fracking. He went on to state that Leitrim County Council is opposed to fracking as provided for in the County

Development Plan. Councillor Kenny called upon the Government to halt this research immediately.

Councillor Gerry Dolan proposed that all activities in regard to fracking cease immediately.

Councillor Mary Bohan commended all the people involved in this campaign and she referred to a meeting she and Councillor Sean McDermott attended in Dublin with the Minister Alex White in this regard last year.

Councillor Mary Bohan advised that a public event is being held outside Lenister House, Dublin on Thursday, 5th November 2015 to Stop Fracking and she called on the support of all to attend this event.

Councillor Des Guckian pointed out the Medics in New York are very opposed to fracking based on evidence, this is going to cost the tax payers €1.5 million and as a result of fracking a few will be multi-millionaire companies and the rest refugees.

Councillor Des Guckian reiterated that the Government Policy has not declared a policy on fracking.

Councillor Sean McDermott expressed his disappointment that the EPA engaged with this company to conduct this research and in the past the EPA have made it so difficult for people to obtain rural housing. Councillor Sean McDermott said that health should be a number one issue.

Councillor Paddy O'Rourke supported all motions and pointed out the company in question are simply not independent.

Councillor Sinead Guckian said that our population are viewed as an economy not as a society.

Councillor Frank Dolan expressed his concerns about the study and the lack of health assessment.

Councillor Pdraig Fallon pointed out that there is an obvious conflict of interest.

Councillor Enda Stenson insisted that all must stand together on this issue, the decision has been made here in Leitrim and it will not change.

Councillor Brendan Barry said that there is no creditability in the report.

Councillor Justin Warnock said he found it very disturbing that the EPA allowed the research to go ahead.

Councillor Sean McGowan queried if the Council's decision can be over turned and Councillor Mary Bohan queried if An Tasice has been involved in this to date.

Frank Curran, Chief Executive confirmed that when the study is completed it will go back to the Minister for Communications, Energy and Natural Resources there is no guarantee if it will recommend fracking or not and he said he was unaware of An Tasice's involvement to date.

Proposed by Councillor Felim Gurn seconded by Councillor Martin Kenny AND UNANIMOUSLY RESOLVED:

"Bearing in mind that the parent company of CDM Smith Ireland Limited, the company employed by the Environmental Protection Agency (EPA) on behalf of the Irish people to lead the "Environmental Impacts of Unconventional Gas Exploration & Extraction (UGEE)" research project, has led the fracking industry into Poland and Ukraine, That Leitrim County Council call on the Minister for Communications, Energy and Natural Resources Mr. Alex White T.D. to direct the EPA to stop the study immediately and to cancel the issuing of supplementary tenders for on-the-ground seismic tests and other monitoring tasks relating to this work. It is plainly absurd for the EPA (or the Minister) to argue that because the company has signed "a conflict of interest declaration as part of the tender documentation" that their track record in this area will not influence their decision making."

"That Leitrim County Council demand that the Government intervene immediately to stop the research commissioned by the EPA into Fracking by CDM Smith. This is a clear conflict of interest as CDM Smith is an overtly pro-fracking multinational company which sponsored The Shale Gas World Europe conference in Warsaw in 2013 and has worked for the gas and oil industry all over the world promoting fracking."

"Leitrim County Council has been made aware of the growing body of irrefutable evidence regarding the serious and unregulatable risks to human life and health posed by the Unconventional Gas Exploration and Extraction (UGEE) industry. The Council is particularly concerned by the shocking revelations contained in the New York State Health Commission Report of 2014. For this reason, Leitrim County Council requires that the Irish Government and the Northern Ireland Executive, as well as their agents cease and desist from any further activities or other development within County Leitrim which is in any way associated with the Environmental Protection Agency, the Department of Communications, Energy and Natural Resources, the Northern Ireland Environment Agency (EPA - DCENR - NIEA) and the UGEE Joint Research Programme (JRP)."

It was agreed by the Members that these motions would be circulated to all Local Authorities.

15/171
02/11/2015

Credit Unions

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

"I am asking for the support of all Members of Leitrim County Council to call on the Minister for Finance NOT to sign into Law the remaining sections of the Credit Union and Co-Operation with Overseas Regulators, Act 2012, until the concerns of the Credit Union Sector, have been considered and satisfactorily addressed as the proposals place the Credit Union Sector at a serious disadvantage vis-à-vis the commercial banking sector."

Councillor Enda Stenson gave the background to his motion and proposed that the Minister for Finance not to sign into law remaining sections of the Credit Union and Co-Operation with Overseas Regulators, Act 2012, until the concerns of the Credit Union Movement have been considered and addressed as it will place the Credit Union Movement at a serious disadvantage because of commercial banking.

All Members were in support of the Notice of Motion.

Proposed by Councillor Enda Stenson seconded by Councillor Des Guckian AND UNANIMOUSLY RESOLVED:

"That Leitrim County Council call on the Minister for Finance NOT to sign into Law the remaining sections of the Credit Union and Co-Operation with Overseas Regulators, Act 2012, until the concerns of the Credit Union Sector, have been considered and satisfactorily addressed as the proposals place the Credit Union Sector at a serious disadvantage vis-à-vis the commercial banking sector."

**15/172
02/11/2015**

Maintenance and upgrading of Graveyards

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

"I propose that Leitrim County Council at the Annual Budget Meeting put in place an allocation to provide for the maintenance and upgrading of graveyards. There is a great demand and need for such a fund right throughout the county."

Report by Director of Service, Planning, Community and Economic Development

"The provision of funding for the upgrading of graveyards is being considered as part of the budgetary process. In many cases the maintenance is carried out in partnership with the local community organisations which is extremely beneficial."

Councillor Frank Dolan acknowledged the reply to his Notice of Motion and he re-iterated his request for funding to be provided in the Local Authority Budget for 2016 to fund necessary works in relation to the maintenance and upgrading of graveyards.

Councillor Sean McDermott supported this Notice of Motion.

**15/173
02/11/2015**

Childcare Package in Budget 2016

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

"Some of the so called good news stories in the recent budget are misleading, many of the announcements around childcare will not come into effect until at least September, 2016. Leitrim County Council does not condone this Governments attempts to fool the Irish people."

Councillor Brendan Barry outlined his disappointment that many of the measures introduced in the recent Budget in relation to childcare are misleading given that the commencement date is 1st September, 2016 rather than 1st January, 2016.

Councillor Gerry Dolan supported the Notice of Motion.

**15/174
02/11/2015**

Former MBNA Complex in Carrick-on-Shannon

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

"I ask the Director of Services for Economic Development what is the latest update on the former MBNA complex in Carrick-on-Shannon and if there are any IDA or other business initiatives

forthcoming. If not, I would propose that the possible development of an International Language College at this complex be investigated."

Report by Director of Service, Planning, Community and Economic Development

"There continues to be ongoing contact with the IDA with regard to securing new investment for the former MBNA Campus in Carrick-on-Shannon and every effort continues to be made by the relevant stakeholders in endeavouring to have a positive outcome. The campus is established and fully enabled as a call centre. However, other job creation initiatives that would demonstrate suitability would be considered as part of the efforts to secure replacement employer(s) at the campus."

Councillor Justin Warnock acknowledged the response to his Notice of Motion, however, he suggested that an international language school should be established at the former MBNA campus. He outlined that such a proposal would have a very beneficial effect on the local economy and to stimulate job creation in Carrick-on-Shannon and that the proposal could be advanced within a 12-month period.

The Members commended Councillor Warnock on his proposal and they unanimously agreed that all efforts should be deployed to establish a replacement enterprise at the former MBNA Campus. The Members also expressed their disappointment that the IDA did not appear to be actively seeking a replacement enterprise for the facility.

Mr. Frank Curran outlined that both the local authority and the IDA continue to proactively market the facility as a location of choice for a new business enterprise and he was positive that progress in this regard would be achieved.

15/175

02/11/2015

Public Lighting

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

"Over months motions and questions have been raised regarding the withdrawal of public lighting on estates not yet taken-in-charge. There appears to be a definite pattern emerging when an estate is regarded by a Developer as complete, the lighting which has been provided is cut off by the electricity provider. Experience shows that the process embarked upon to have lighting reinstated is costly and there is a danger in having no lighting in areas of high population i.e. housing estates. Can this Council work with electricity providers to stop this method of closing off estates before being taken in charge? Reconnection besides being extremely costly is an unnecessary and unfair practise."

Report by Director of Service, Planning, Community and Economic Development

"Where an estate is not in the charge of the Local Authority and remains a private development Leitrim County Council has no responsibility for maintenance with respect to those estates and no legal entitlement to undertake any works therein. The responsibility for payment of the street lighting bill in such estates is a matter between the developer and the home owners in accordance with the maintenance arrangement put in place as part of the contracts of purchase. Any alleged breach of the terms of the purchase contracts is a civil matter between the parties to such contracts. Where the Council is notified by an electricity service provider that it is proposing to disconnect the street lights in an estate due to the non-payment of the account the Council has requested that any such disconnection be postponed. Ultimately, however, the service provider

may disconnect street lights where the bill continues to be unpaid."

Councillor Finola Armstrong McGuire expressed concern in relation to situations where public lighting is withdrawn on public lighting on estates not yet taken-in-charge by the local authority. She stated that in those circumstances there is an impact on the people residing in the estate as the lack of public lighting impacts on their ability to engage in recreational activities particularly for children in winter time.

The Notice of Motion was also supported by Councillor Pdraig Fallon, Councillor Mary Bohan, Councillor Enda Stenson and Councillor Sinead Guckian. Councillor Stenson acknowledged the work being carried out by the Planning Authority in relation to taking estates in charge.

Mr. Joseph Gilhooly, Director of Services stated that the responsibility for the provision of public lighting in a private estate rests with the developer and that Leitrim County Council has no role in this regard other than when the estate has formally been taken in charge by the local authority.

15/176
02/11/2015

Load Leading to the former Homestead of Sean MacDiarmada

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

"I ask Leitrim County Council to prioritize the local road that leads to the homestead of Sean MacDiarmada for a 'Restoration Improvement Grant' from the Annual Roads Programme for 2016, half of this road was completed this year."

Report by Director of Service, Planning, Community and Economic Development

"Local road L6196/L6197 at Laughty Barr, Kiltyclogher will be assessed and considered for inclusion in the 2016 Area Programme subject to priority."

Councillor Sean McDermott welcomed the reply to his Notice of Motion, however, he expressed his disappointment that no additional funding has been forthcoming from the Government in this regard.

Councillor Justin Warnock proposed that lay bys be provided on this narrow stretch of road and that entrances to farms be tidied up and left suitable for coaches/buses travelling on this road in the future.

Councillor Brendan Barry also expressed his disappointment that no funding has been provided by the Minister for Transport to fund the necessary works at this location. He stated that this decision was most unfair given the significant level of funding that has been provided for Pearce's Cottage in Galway.

15/177
02/11/2015

Funding for Local and Private Roads

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

"I propose that Leitrim County Council make contact with the Minister for Transport, Paschal Donohoe TD, with a view to seeking an appointment regarding funding for local and private roads. As there has been no response from him on this issue which is very urgent for people who live in rural areas."

Councillor Paddy O'Rourke referred to a previous request to the Minister to facilitate a meeting with the Elected Members of Leitrim County Council to discuss the funding of works for local and private roads. He outlined that the meeting had not taken place and he was again calling on the Minister to meet with the Members in relation to this matter.

The Members unanimously supported Councillor O'Rourke's Notice of Motion and stressed the urgency of additional funding being provided to the local authority to carry out road restoration and maintenance works in a number of locations in the county.

Proposed by Councillor Paddy O'Rourke, seconded by Councillor Sean McDermott AND UNANIMOUSLY RESOLVED:

"That Leitrim County Council make contact with the Minister for Transport, Paschal Donohoe TD, with a view to seeking an appointment regarding funding for local and private roads. As there has been no response from him on this issue which is very urgent for people who live in rural areas."

15/178
02/11/2015 **Annual Mass for the Staff and Deceased Members of Leitrim County Council**

Ms Sinead Flynn, Meeting Administrator informed the Members that the Annual Mass for the Staff and Deceased Members of Leitrim County Council will be held on Monday 9th November, 2015 at 8 pm in St. Mary's Church, Carrick-on-Shannon.

The business of the meeting concluded at 2.10 pm

Signed:

**Councillor John McCartin
Cathaoirleach**

**Sinead Flynn
Meetings Administrator**

Dated: 11th January, 2016