

**MINUTES OF MONTHLY MEETING OF ROSCOMMON COUNTY COUNCIL
IN COUNCIL CHAMBER, ÁRAS AN CHONTAE, ROSCOMMON
ON MONDAY, 28TH MAY, 2018 AT 2.15 PM.**

- PRESENT:** Councillor Orla Leyden, Cathaoirleach **PRESIDED**
- MEMBERS:** Cllr R. Doherty, Cllr T. Ward, Cllr V. Byrne, Cllr I. Connaughton, Cllr D. Connolly, Cllr J. Cummins, Cllr M. Creaton, Cllr L. Fallon, Cllr P. Kilduff, Cllr M. Mulligan, Cllr J. Murphy, Cllr J. Naughten, Cllr K. Shanagher and Cllr L. Callaghan.
- OFFICIALS:** Eugene Cummins, Chief Executive
Majella Hunt, Director of Services
Martin Lydon, Director of Services
Pat Murtagh, A/Director of Services
Cait Kenny, Assistant Staff Officer
Patricia Bohan, Meetings Administrator
- Apologies:** Cllr N. Dineen, Cllr P. Fitzmaurice and Cllr J. Keogh

61.18 ADOPTION OF MINUTES

On the **PROPOSAL** of Councillor Creaton
SECONDED by Councillor Ward
It was **AGREED** to adopt the Minutes of Plenary Meeting held on 23.04.2018.

62.18 MATTERS ARISING

Cllr Fallon asked if there was any update in relation to the Vacant Site Levy following the discussion at last month's meeting.

Mr. Martin Lydon, A/Director of Services confirmed that following a recent meeting with the Department, agricultural lands have been removed from the provisions of the scheme thus reducing the number of sites in Roscommon on the register. Letters to this effect have been sent to those affected by the change. Cllr. Ward asked if land is deemed agricultural, does this mean that it is no longer zoned land. Mr. Lydon said that this area was complex but it was a useful exercise insofar as some people do not want some lands zoned and members should note that the type of zonings that existed in the past will no longer be the case in the future.

Cllr. Mulligan enquired if there was any update on filling of outdoor posts and urged that this be carried out as soon as possible. Mr. Pat Murtagh later confirmed that nine new outdoor staff had started work in the Council – three in Ballaghaderreen, one in Castlerea and five in Roscommon (Eight semi skilled and general operatives and one caretaker)

63.18 MANAGEMENT REPORT

Members noted the Management Report for May 2018.

64.18 DISPOSAL OF LANDS - RESCINDING OF RESOLUTION NO. 65.17 DATED 29TH JUNE 2017 (ROADS & TRANSPORTATION)

Mr. Pat Murtagh, A/Director of Services informed the meeting that a Resolution dated 29th June 2017 approved the disposal of lands at Beagh Td. to Conor Ryan, Beagh, Ballinasloe, Co. Galway for the consideration of €10,000. A smaller parcel of lands is now proposed for disposal.

On the **PROPOSAL** of Councillor Kilduff
SECONDED by Councillor Ward

It was **AGREED** that the County Council of the County of Roscommon does hereby rescind in its entirety its Resolution 65.17 dated 29th June 2017 which approved the disposal of land 0.2981 hectares in the Townland of Beagh to Conor Ryan of Beagh, Ballinasloe, Co. Galway.

65.18 DISPOSAL OF LANDS (ROADS & TRANSPORTATION)

On the **PROPOSAL** of Councillor Fallon
SECONDED by Councillor Connaughton

It was **AGREED** that the Council consent to the disposal of lands pursuant to the provision of Section 211 of the Planning and Development Act, 2000 and Section 183 of the Local Government Act, 2001. Particulars of the land which the County Council proposes to dispose of:-

The land: 0.2554 Ha. at Beagh townland, Ballinasloe, Co Roscommon.

The persons from whom the land was acquired: Galway County Council

The person to whom the land is to be disposed: Conor Ryan, Beagh, Ballinasloe, Co. Galway

Consideration: €8,500

66.18 DISPOSAL OF LANDS (COMMUNITY & ENTERPRISE)

On the **PROPOSAL** of Councillor Shanagher
SECONDED by Councillor Connaughton

It was **AGREED** that the Council consent to the disposal of lands pursuant to the provision of Section 211 of the Planning and Development Act, 2000 and Section 183 of the Local Government Act, 2001. Particulars of the land which the County Council proposes to dispose of:-

The land: 0.4948 Ha (Site No 16) at Ballyboughan Td, Roscommon, Co. Roscommon

The persons from whom the land was acquired: Eircom Ltd., Harcourt Centre, 52 Harcourt St., Dublin 2

The person to whom the land is to be disposed: Mark Lohan Fitted Furniture Ltd.

Consideration: €75,000 plus VAT

67.18 REVIEW OF HOUSING AID FOR OLDER PEOPLE SCHEME

Cllr. Cummins, Chairperson of the Housing and Corporate SPC made a presentation to the members regarding the following changes proposed by the committee to the 'Housing Aid for Older People Scheme'

- To retain the grant of €250 ex VAT for each window and €700 ex VAT for each external door
- To remove the maximum grant of €2,000 for windows
- To remove the maximum grant of €1,400 for outside doors.

- The level of grant aid available for windows and doors shall be determined on the basis of gross household income and shall be between 30% - 95% of the approved cost of the works.

On the **PROPOSAL** of Cllr. Cummins

SECONDED by Cllr. Ward

It was **AGREED** to adopt the Housing Aid of Older People Scheme review as proposed by the Housing and Corporate Strategic Policy Committee.

Cllr. Ward welcomed the proposals but queried the replacement of single glaze aluminium windows which are not a success, that they be looked at in the same way as the timber framed window i.e. the full unit be replaced.

On the **PROPOSAL** of Cllr. Ward

SECONDED by Cllr. Naughten

It was **AGREED** to revert to the Housing and Corporate Strategic Policy Committee to consider the replacement of single glaze aluminium windows in the scheme.

On the **PROPOSAL** of Cllr. Kilduff

SECONDED by Cllr. Byrne

It was **AGREED** to revert to the Housing and Corporate Strategic Policy Committee to consider at the availability of a grants for window replacement for those in receipt of disability allowance but not of pension age.

Cllr. Naughten asked about the possibility of seeking additional funding from the Department because of the amount of applications being received. Mr. Martin Lydon said that he would be happy to provide an update to members at the next meeting but needed an opportunity to assess the figures and stated that the total matched funds this year was €207,000.

68.18 COUNTY ROSCOMMON ROAD TRAFFIC (SPECIAL SPEED LIMITS HOUSING ESTATES) BYE-LAWS 2018

Mr. Pat Murtagh, A/ Director of Services presented the Draft Road Traffic (Special Speed Limits Housing Estates) Bye-Laws 2018 to the members for approval. The purpose of the byelaws is to protect the residents of the estates and the general public that may be travelling through the estates. A special speed limit of 30km/h shall be the speed limit for mechanically propelled vehicles on over 160 estates specified in the schedule to the byelaws.

The members raised the following queries:

- Are private estates included in the bye-laws?
- Members of CES will not work where there is no special speed limit so if a church or community centre area where they are working is not included can this be done now?
- Extra signage will be required in all estates and this is extra work.
- The bye-laws will make the roads safer but need the cooperation of Gardaí to enforce them.

Mr. Pat Murtagh replied as follows:

- All private estates are included but if members are aware of any omissions from the schedule, they

should contact the Roads Section.

On the **PROPOSAL** of Cllr. Ward

SECONDED by Cllr. Naughten

It was **AGREED** that road safety provisions be put in place at Ballybay National School on the N61.

In regard to an update on the remaining outstanding Draft Speed Limit Byelaws under review, Mr. Murtagh confirmed that there are a number of items being queried by the Transport Infrastructure Ireland (TII), specifically areas on the National Roads. The Roads Department are looking at the possibility of continuing to work on the Regional and Local roads speed limit bye-laws while the queries are being finalised. The Cathaoirleach stressed the importance of finalising the bye-laws as soon as possible.

On the **PROPOSAL** of Cllr. Naughten

SECONDED by Cllr. Shanagher

It was **AGREED** that the County Roscommon Road Traffic (Special Speed Limits Housing Estates) Bye-Laws 2018 be adopted.

69.18 PRESENTATION ON GENERAL DATA PROTECTION REGULATIONS (GDPR)

Ms. Mary Lindsay, Head of HR briefed the members on the new General Data Protection Regulations (GDPR):

- GDPR (General Data Protection Regulation) took effect from Friday 25th May 2018. GDPR significantly changes data protection law in Ireland and across Europe, strengthening the rights of individuals and increasing the obligations on organisations.
- The core principle of the new regulations is that Individuals must give consent for usage of personal data and increase obligations on organisations to ensure that personal data is safe, secure and kept confidential and kept only for the purposes for which it was intended only as long as is necessary.
- Detailed and defined guidelines for Public Representatives will be circulated by the Data Protection Commissioner later this year
- The GDPR is an ongoing process that will be subject to review

Members asked for clarification on the following:

- Is consent required to be written or is verbal consent adequate and how is this monitored?
- What happens if you don't have consent to share information?
- How safe is it to have PPS numbers and Dates of Birth on computers etc.?
- How long can the information be held?
- If constituent asks you to do send information to third parties, can you do so?.
- What is the difference between Data Protection and Freedom of Information?

Ms. Lyndsay confirmed that

- Consent can be verbal as long as the person concerned is made aware of where and how the information is to be used. The members must satisfy themselves that any personal information they receive is kept confidential, safe and secure. Personal data should not be held any longer than

is necessary. All of this detail will be available in the guidelines when published.

- The law is very detailed and in favour of the individual.
- A data controller must get consent to pass information onto third parties and the reasons why it is dispersed.
- Data protection related to Personal data only. Data can be accessed under Freedom of Information request only if reference is made to FOI Acts.
- Duty on members to keep information on computers or laptops safe i.e. through encryption and firewalls.

70.18 PRESENTATION - "USE YOUR BRAIN, NOT YOUR FISTS"

The Cathaoirleach warmly welcomed Rosie Dolan from Carrick and Suzanne Duffy from Leitrim County Council who came to make a presentation on a video campaign launched recently. The "Use your Brain, not Your Fists" campaign was initiated through Leitrim Comhairle na nÓg to promote awareness among young people of the consequences of using their fists. Rosie lost her 20 year old son Andrew on 1st January 2012 as a result of an unprovoked attack in Mullingar a week previously on 23rd December 2011.

Rosie Dolan explained why she felt she had no choice but to get involved in the video to help people understand the pain and suffering that is caused through a moment of madness. If young people see the video, they may stop a moment and think and not go through with throwing a punch – one punch can have fatal consequences. The video is piggybacking on a Garda campaign although it has to be assumed that under 18s are not drinking, this is not necessarily so. Rosie also explained that various agencies supported the making of the video.

Suzanne Duffy explained their plan of action to promote the campaign:

- Lobby all councillors and roll out the campaign nationwide.
- Request Comhairle na nÓg in Roscommon to roll our programme
- Written to Dept. of Education and Youth Affairs to include on SPHE Curriculum for First and Second years.
- Received funding for workbooks to accompany video.
- Encourage Sports Partnerships to get role models to support and share the video
- Ultimate goal that everyone in the country will have seen the video – the video cost €6,500 to make with the support of Creative Ireland fund.

The members welcomed Rosie and Suzanne and expressed their sincere condolences to Rosie on the passing of her son Andrew and admired her bravery in taking on this campaign:

- Links to Comhairle na nÓg across the country could be the key to getting out the message of "use your brain, not your fists"
- Ask the Executive to get liaison officer to help spread this message to all schools in Roscommon
- This will be discussed at Comhairle meeting in Roscommon on Thursday.
- Children must now get parent's permission to take pledge and it is not being taken up.
- No agency assessing who and how many people are been affected by such attacks that can happen in a few seconds.
- The accompanying posters should be put up in all sports clubs in the county
- Public reps should be promoting this campaign
- Roscommon Sports partnership will discuss this at their next meeting.

- Huge issues with drink and drugs. National politicians should deal with selling of below cost alcohol, easy availability of alcohol etc.
- Huge pressures on young people, peer pressure, social media to succeed and enjoy themselves
- Young people want to engage and make things happen – they can take this challenge on – it’s their responsibility.
- We must take a stand and say no, it’s not ok to be out of control on drink/drugs. This is a societal issue that needs to be tackled and national sporting organisations should help and lead the way.
- Parents should be held responsible for the actions of their children that have such consequences
- The members also wished well the Grogan family in Tuam, whose son Shane was also the victim of an unprovoked assault in 2012 and whose story will be featured on Crimecall tonight.
- People were never more educated or well looked after. Drink driving that was acceptable years ago is no longer acceptable – we now need to tackle the issue of “out of control” with drugs now a worrying development as is the issue of drinking at home before going out.
- The West Region Drugs Task Programme is rolling out the Risk and Protection Programme that encourages youngsters to get involved in three sports/other interests. ‘Planet Youth’

The Chief Executive said that Rosie Dolan, in her heartache has created a gift –a strong message and a message that he has a responsibility to bring this message to as many as possible. He hops that she will leave this chamber with assurances from all present that they will promote the message on her behalf.

71.18 CHIEF EXECUTIVE BUSINESS

Report on Final Account of Áras an Chontae.

The Chief Executive gave the members the details of the Final Account of Áras an Chontae. He welcomed the completion of the project and in his lengthy report outlined the rational and benefits of the project that has delivered a great legacy for the county.

The members welcomed the Final Account as follows:

- This is a very functional building, accessible to all, showing the country that we looking to and supporting our own.
- Facilitation of numerous Civic events and the people of the county can be proud of the building. The building will stand the test of time.
- This was money well spent and could not have got better value for money. The original estimated cost was €28 to €30m
- We are in a position to secure the Courts Services in Roscommon Courthouse into the future.
- The building allows elected members and the public to get their business completed efficiently as everything is under the one roof.
- The carparking made available as a result of the project facilitates main street and the church.
- The fact that the construction costs were only 4.89% over budget is a most impressive fact.
- Concern that if we didn’t have our own HQ, the local authority affairs of Roscommon could be taken away and done elsewhere and also that we could lose our court service.
- We need to look at improving signposting to the carparks
- The construction of the building was a hard sell but it has turned out very well. The offices in the courthouse were not suitable for anyone with a disability to access.
- Could the feasibility of opening the underground tunnel courthouse to the jail be investigated?

- Acknowledging that they had objections at the time to the project, insofar as existing premises in the town could have been bought and adapted, members welcomed the final account as presented, the fine purpose built building that we now have and the value for money that was got.
- In conclusion, the Cathaoirleach thanked the members, Chief Executives and management teams that brought the building to finality and the added bonus of the carparks.

72.18 CORRESPONDENCE

- Letter of acknowledgement from Mr. Eoghan Murphy, T.D. Minister for Housing, Planning and Local Government regarding the Vacant site Levy.
- Letter from Mr. Paschal Donohoe T.D., Minister for Finance and Public Expenditure and reform regarding extra funding for roads in Co. Roscommon.
- Letter from Mr. Tony Canavan, Chief Officer, Community Healthcare West in relation to ongoing cuts in Roscommon Health Services.
- Letter from Mr. Simon Harris T.D., Minister for Health concerning the ratification of the Convention against Trafficking in Human organs.
- Letter from Mr. Tony Canavan, Executive Lead, Regional health Forum West regarding St. Joseph's Centre, Ballaghaderreen.
- Letter from Department of Health concerning ongoing cuts in Roscommon Health Services.
- Letter of acknowledgement from Mr. Shane Ross, Minister for Transport, Tourism and Sport regarding funding to deal with roadside trees.
- Letter from Leitrim County Council RE: Resolution calling on Department of Agriculture, Food and the Marine to protest against the Department designating large areas of our County as SACs, NHAs, etc.
- Letter from Kerry County Council RE: Resolution calling on the Minister for Health to request the HSE to review the decision to restrict the use of Versatis pain relief.
- Letter from Roscommon Leader Partnership in response to our request for a Community Liaison Officer to work with all community groups.
- Letter of acknowledgement from Mr. Paschal Donohoe T.D., Minister for Finance and Public Expenditure and reform regarding extra funding for roads.
- Letter of Acknowledgement from Mr. Denis Naughten, T.D., Minister for Communications, Climate Action & Environment regarding Sliabh Bawn Windfarm.
- Letter from Carlow County Council RE: Resolution calling on the Minister for Agriculture to consider payment of €200/hd for suckler cows.
- Letter from Mr. Tony Canavan, Executive Lead, Regional Health forum West regarding the Roscommon Mental Health Report and the Rosalie Unit.
- Letter of acknowledgement from Mr. Michael Ring, T.D., Minister for Rural and Community Development in relation to our resolution to make it an offence to enter the sea or rivers while unsafe to do so.
- Letter of acknowledgement from Mr. Eoghan Murphy, T.D. Minister for Housing, Planning and Local Government regarding funding for roads.
- Letter of acknowledgement from Taoiseach, Leo Varadkar regarding our resolution to make it an offence to enter the sea or rivers while unsafe to do so.
- Letter of acknowledgement from Mr. Simon Harris T.D., Minister for Health concerning the Rosalie Unit in Castlerea.

73.18 NOTICE OF MOTION

6.18 Notice of Motion from Councillor Ward – Disbanding of HSE

I am calling on the Government and the Minister of Health Mr. Simon Harris T.D. to disband the HSE and to set up a Regional Health Boards in the country to deal with all health issues.

Reply: This Motion requires a resolution of the Council.

The motion was **SECONDED** by Cllr. Kilduff

The Cathaoirleach asked if the motions from Cllr. Ward and Cllr. Byrne could be taken together as they both concerned the HSE but Cllr. Ward said that as his motion called for the disbanding of HSE and setting up of Regional Health forum he was not prepared to support the reformation motion. Cllr. Byrne did not agree that the HSE would be disbanded and could not amend her motion.

The Cathaoirleach then stated that Cllr. Wards motion would be discussed first .

Cllr Ward in moving the motion, said that the formation of the HSE in 2006 has proved to be a failure. There are many good people in the HSE at middle management and front line staff but when the Head of the HSE was not aware of what was happening in the Cervical Screening Programme, it was time to disband and reform under the old health board system. He said that last Tuesday he brought this motion to the HSE forum and it was agreed by the members.

Members debated as follows:

- Recent correspondence from the Minister has stated again that queries from individual Council members should be made to the HSE via the members on the HSE forum. Under the old Health Board system, answers were forthcoming but cannot get real answers from the HSE Forum.
- The governance of the HSE needs to be brought back to a Regional level where there is accountability.
- The recent scandal of the Cervical Screening programme is symptom of how the HSE has failed the public. The people want the Minister to take charge.
- Whether the HSE is disbanded or reformed, there is a huge lack of confidence in HSE.
- The HSE will not be disbanded and cannot support this motion
- There are so many recent examples of disfunction including the mental health services and the attitude of senior management is highly questionable.
- Lack of accountability - HSE needs to be reformed or changed

The Cathaoirleach then asked Cllr. Byrne to speak on her Notice of Motion before the members voted on Cllr. Wards motion.

7.18 Notice of Motion from Cllr. Byrne - Reformation of HSE

That Roscommon County Council call for the reformation of the HSE from its present format as the general public have long been aware of it's failure to deliver a service that meets its need.

Cllr. Byrne stated that there was no point in taking her motion but the reason that she had put it on the Agenda was that as HAC independent member of the Council, she felt responsible that the people should have their say. She also said that she wants the Council to have a united front together in relation to their

resolution regarding the HSE. She further stated that so many of the recent scandals have affected women in particular.

Cllr. Kilduff stated that the members of the forum were not informed regarding X-Rays not taking place at Roscommon Hospital however Cllr. Byrne further clarified one of the two X-Ray rooms in Roscommon Hospital is being refurbished for safety reasons and it was important to know that chest and emergency X-Rays are still going ahead.

The Cathaoirleach then asked the Meetings Administrator take a Vote on Cllr. Ward's motion.

VOTING FOR COUNCILLOR WARD'S MOTION:

Councillors Fallon, Kilduff, Shanagher, Ward, Connaughton, Cummins, Creighton, Callaghan, Leyden (9)

VOTING AGAINST COUNCILLOR WARD'S MOTION:

Councillors Connolly, Byrne, Mulligan, Murphy (4).

ABSTENTIONS:

Councillors Dineen, Keogh, Fitzmaurice, Doherty, Naughten (5)

The Cathaoirleach declared Councillor Ward's Motion carried and that it be circulated to all councils.

74.18 EXTENSION OF STANDING ORDERS

On the **PROPOSAL** of Cllr. Cummins

SECONDED by Cllr. Kilduff

It was **AGREED** to extend standing orders after 5.30pm

75.18 COUNCILLORS CONFERENCES - PAYMENT/ATTENDANCE

On the **PROPOSAL** of Councillor Ward

SECONDED by Councillor Shanagher

It was **AGREED** to adopt the list of payments for attendance at conferences as circulated to the Members.

76.18 VOTES OF CONGRATULATIONS AND SYMPATHY

Votes of sympathy were extended to:

- The Jones family on the death of Catholic Bishop Emeritus of the Diocese of Elphin Christopher Jones. Cllr. Callaghan paid tribute to the Bishop whom he described as the Voice for Rural Ireland who set up the 'Council for the West'
- The Lee family on the death of Fr. Hugh Lee, Curraghboy, Curate in the parish of Kiltoom and Cam.

77.18 ANY OTHER BUSINESS

Castlerea Fire Station

Cllr. Connolly sought an update in relation to the re-opening of Castlerea Fire Station. Mr. Pat Murtagh, Director of Services replied that training is ongoing for firefighters and the Council is proceeding to fill the vacant officer posts.

Extra Roads funding:

Cllr. Ward asked if there was any reply from Minister Naughten or Minister Ross on previous notice of motion regarding request for additional funding for the roads, particularly in South Roscommon. Mr. Pat Murtagh informed him that he had received acknowledgement from the Ministers. The CCMA have issued communication regarding lobbying the Department for monies for roads and Roads department will be following up on that this week.

HSE Forum:

Cllr Ward informed the members that any queries they have in relation to HSE, please contact any of the three representative member of the Regional forum to be asked at the next meeting.

Roscommon Harriers Road Race:

Cllr. Connolly noted that the launch of the 10 mile race is on Friday next 1st June. The race in July will bring athletes to the town from all over the country and abroad.

Roads in South Roscommon:

On the **PROPOSAL** of Cllr. Kilduff

SECONDED by Cllr. Ward

It was **AGREED** to write to the Minister for Transport and Minister Naughten to seek urgent additional funding for roads.

NEXT MEETING

The next meeting will be on Monday, 25th June, 2018.

This concluded the business of the meeting.

The foregoing Minutes are


Confirmed and Signed:



Meetings Administrator



Cathaoirleach



Countersigned