

**MINUTES OF MONTHLY MEETING OF ROSCOMMON COUNTY COUNCIL
IN COUNCIL CHAMBER, ÁRAS AN CHONTAE, ROSCOMMON
ON MONDAY, 22nd February, 2021 AT 2.15 pm.**

PRESENT: Councillor Laurence Fallon, Cathaoirleach **PRESIDED**

MEMBERS: Cllr P. Fitzmaurice, Cllr D. Kilduff, Cllr T. Crosby, Cllr M. McDermott, Cllr A. Waldron, Cllr O. Leyden, Cllr T. Ward, Cllr N. Dineen, Cllr V. Byrne, Cllr I. Connaughton, Cllr J. Cummins, Cllr J. Keogh, Cllr M. Mulligan, Cllr J. Murphy, Cllr J. Naughten, Cllr K. Shanagher and Cllr L. Callaghan.

OFFICIALS: Eugene Cummins, Chief Executive
Martin Lydon, Director of Services
Shane Tiernan, Director of Services
Liam Bergin, Director of Services
Fiona Ni Chuinn, Senior Executive Officer
Patricia Bohan, Meetings Administrator
Michelle Carney, Staff Officer
Patricia Bohan, Meetings Administrator

Apologies:

1.21 ADOPTION OF MINUTES

On the **PROPOSAL** of Cllr. Cummins
SECONDED by Cllr. Shanagher
It was **AGREED** to adopt the minutes of the Plenary Meeting of 21.12.2020.

On the **PROPOSAL** of Cllr. Ward
SECONDED by Cllr. Leyden
It was **AGREED** to adopt the minutes of the Special Plenary Meeting of 01.02.2021

2.21 MATTERS ARISING

There were no matters arising.

3.21 MANAGEMENT REPORT

- Management Report for December 2020 noted
- Management Report for January 2021 noted.

4.21 UPDATE ON LOUGH FUNSHINAGH

The Cathaoirleach addressed the meeting regarding the recent and ongoing crisis situation for families affected by the record flood levels at Lough Funshinagh and the immediate need to find a solution. This has been an ongoing problem since 2015 and had gone from flooding 600 acres to 1200 acres and the water

level is now 550mm higher than at its highest point and 1.54m higher than this day last year. Thanks to the ongoing work of Roscommon County Council, flood waters have been prevented from accessing up to five houses, but it is getting more difficult to keep the water at bay. The families are under severe mental and financial stress and a solution must be finalised as soon as possible as time is of the essence.

The Chief Executive acknowledged the serious hardship being experienced by the families around Lough Funshinagh. The deteriorating situation has defied the theory that this flooding is of a cyclical nature. It is important that the elected members and the community have a clear understanding of what is being proposed and what can be done by the Council in partnership with other stakeholders.

Mr. Shane Tiernan presented a report to the meeting on the matter:

- Acknowledged that the rainfall of the last number of years have raised the flood level to unprecedented levels causing havoc and stress to the community affected with houses and farms under siege.
- Roscommon County Council have worked to raise roads and prevent flood water reaching the living area of any home.
- Various plans and proposals in recent weeks have been mooted regarding pumping but it is not an option
- As this is a designated SAC, it further complicates a final solution. It is also a European Natura 200 site with a sensitive natural environment where vegetation and wildlife may be negatively affected by any construction project and as such is subject to a Part 8 Planning process that is required to go directly to an An Bord Pleanála for a decision.
- Discussions have taken place between Roscommon County Council, OPW, NPW, Dept. of Agriculture, and the GSI and progress has been made to designing and advancing to planning a significant capital project to resolve the problem
- The identified solution will have to follow a process including appropriate data collection and a perfected planning application. It will respect engineering principles, to drain off excess levels from the lake as they occur.
- The estimated timelines of the planning and design work to progress to planning submission is 24 months as extensive surveys and assessments are required.
- Roscommon County Council have actively undertaken protective measures in various locations affected including localised pumping, raising of a number of roads and installation of flood barriers, rick armour and supports. Further works will be assessed in the summer season when it is hoped water levels will have reduced considerably.

The Elected Members discussed the matter as follows:

- Thanks to Roscommon County Council for the works done to date and information supplied.
- Disappointment that works have not progressed sooner. It is concerning that the levels will continue to rise and it will be too late by the time a permanent solution is implemented in two to three years. A short term solution must be introduced without delay.
- Minister O'Donovan has stated that the turloughs are the responsibility of RCC – can a letter of clarification be sought on this so this does not happen in other situations.
- What are the costs spent to date by the Council on flooding mitigation in Lough Funshinagh?
- There is a need to get an expert on pumping to give a presentation to the Athlone MD or full Plenary meeting. MW Hire from Kilkenny is such an expert in this field.

- An interim pumping solution must be found immediately even taking into account all the constraints if there is willingness by the Council to do so in conjunction with all of the stakeholders. One pump can lower the level one inch in thirteen days i.e. 5ft in a two-year period. Having spoken to MW Hire, these pumps can bring the water 4km so there are solutions available.
- Solutions have to take into account for both farming and residents. If lost lands cannot be brought back a Relocation Scheme has to be considered. The lands currently affected and that might never come back should get adequate compensation in a farm relocation scheme and a suitable home relocation scheme also should be as part of this and should be commenced in tandem with current proposals.
- We have all bodies on board now and need to move to planning process and work together to expedite this.
- There will be difficulties from environmental restrictions point of view with any proposed interim solution but it should be considered nonetheless.
- The installation of an overflow pipe has to be considered as there is one outlet blocked and this will get worse as water levels rise and will back up in five other drains feeding into the turlough.
- Framers have lost income and area aid funding due to flooding situation.
- Considerable frustration of elected members that the report from the OPW did not address the situation and rainfall data based on historical events and not expected changes due to climate change.
- Trees that are over 100 years old are dead and this is not a natural phenomenon. However, it is unlikely that a pipe taking away the water will have any effect on the body of water concerned.
- There are too many state bodies with an input into this matter but welcome the fact that they are all on board.
- The Council should not be left with any expense in relation to the ongoing situation.
- Our Oireachtas members should bring this crisis to the floor of Dáil and Senate as an emergency issue and ensure that the solution is fast tracked.
- The Council going about it the right way by bring the relevant parties together and preparing Part 8 planning application. It is imperative that the application to An Bord Pleanála is dealt with expeditiously.
- Can a very deep borehole be drilled to provide an outlet to underground channels?
- Need to remain unified through work of Chief Executive and Cathaoirleach and that the process is fast-tracked as two 2 years too long for a solution – need clear timelines for community to come to a successful outcome.
- Relocation of a house is a possibility but very difficult or impossible to relocate a farmyard. By time we get a solution the village of Ballagh could be cut in two.

The Chief Executive replied that all costs associated to date are accounted for and will be made available to the members in the first instance and will also be publicly available and expected to be recovered including all future works. The OPW assessed the report on existing information but it is clear now that flood events will continue into the future.

It is also a consideration that some existing houses may have to be relocated and two have already been relocated to date. There is no pumping solution and the proposal as outlined in the Report of the Director of Services must be progressed. The quickest way to do this is to have the Part 8 submission to An Bord Pleanála in order – there is a huge body of legislation and complexities involved in the SAC that cannot be bypassed. The intervention of the Minister has brought everyone around table and all of the agencies want to progress this matter while normally we would have waited to get their feedback. The planning application needs to be perfect or the process will be delayed. He acknowledged the worry

and stress of householders wondering if the water is going to flood their houses. The Council will do everything it can including saving as much time as possible and all the elected members should keep the pressure on all those involved to keep the matter in the public eye.

In response to further queries, the Chief Executive confirmed the OPW are the responsible body for flooding but Planning Infrastructure is the remit of the Local Authority. In regard to the type of infrastructure that is proposed, and because of the SAC designation, the application has to go to An Bord Pleanála because the Appropriate Assessment would dictate this. Other options will have to be looked at but we are a long way from and not this year, but again there is no pumping solution. There cannot be a situation whereby as a Local Authority keeping back floods, people do not get relief entitlements they would have if the Local Authority was unable to keep the flood at bay. Everything that has been said by the members will be taken on board and considered as they are all valuable inputs and concerns. There is no pumping solution or fast tracked approach, and the quickest way to get a final solution is a collaborative approach with all of the stakeholders perfecting an application that will survive any challenge.

The Cathaoirleach stated that Minister McConalogue is being lobbied to put a stay on loss of any farmer's area aid in the absence of any solution.

On the **PROPOSAL** of Cllr. Keogh

SECONDED by Cllr. Naughten

It was **AGREED** to request the Minister for Agriculture Food and the Marine to facilitate legislation to provide for a Farm Relocation Scheme including compensation for farms affected by flooding as a priority and that an adequate and suitable home relocation scheme is part of this scheme.

On the **PROPOSAL** of Cllr Waldron

SECONDED by Cllr. Fallon

It was **AGREED** that Roscommon County Council write to the Minister for Agriculture to request that legislation be enacted that no farmer should lose area aid as a result of flooding to their farmlands.

On the **PROPOSAL** of Cllr Ward

SECONDED by Cllr. Keogh

It was **AGREED** that that an overflow pipe be installed in Lough Funshinagh and that the planning application be fast tracked to commence the project as soon as possible.

It was **PROPOSED** by Cllr. Connaughton

SECONDED by Cllr Dineen

That Roscommon County Council get pumping expert, be that MW Hire or another international expert to advise the members on pumping solutions not just in Lough Funshinagh but also all relevant situations around the county of Roscommon in what magnitude and methods of pumping.

At this stage the Chief Executive advised the Members they should be aware of S140 in relation to direction to the Chief Executive to incur expense on a specific action as there is no pumping solution. He stated that they should familiarise themselves on the legislation and advise the Cathaoirleach accordingly.

The Cathaoirleach stated that we will leave that proposal and that if under a S140 at the next meeting it

is proposed it will be discussed then.

5.21 PRESENTATION FROM NATIONAL BROADBAND IRELAND

Mr. Joe Lavin from National Broadband Ireland gave a presentation to the members on the National Broadband Plan Project as follows:

- The aim of the programme is to ensure every premises has access to high speed broadband – NBI have been contracted to build a full fibre network to connect 544,000k premises.
- The project includes utilisation of 1.466m poles and 143,384km of cabling and world leading technologies to futureproof the network. While using existing infrastructure where possible to create sustainable and cost effective deployment. Customers will receive up to 1Gps with minimum speed of 500Mbps.
- Surveying is continuing nationally and back on track following delays due to the pandemic and build works will be initiated in all 26 counties in 2021. This is a seven year programme.
- There are 227 Deployment Areas (DA) across the country facilitating 194 local exchanges, 33 Regional Exchanges which will all connect to Data Centres mostly based in Dublin. The NBI is currently actively working across 60 DA's. Regional Exchanges will be built first– this is to ensure that there is a solid backhaul network connection to the data centres and the deployment area is 20km in radius
- There are 19,126 premises in Roscommon identified as without access to High Speed Broadband representing 49% of the total premises in the county. The NBI investment in the county is approx. €75m.
- There are 5 Regional Exchanges to serve Roscommon – Ballinasloe, Roscommon, Athlone, Carrick on Shannon and Longford.
Roscommon DA– 2,993 premises, Build Underway, Est. date for connections July 2021 – Sept 2021
Carrick on Shannon DA– 2,042 premises; Survey complete; Est. date for connection May 2022- July 2022
Ballinasloe DA : 668 premises; Build underway; Est dates for connection June 2021 – Aug 2021
Athlone DA – 623 premises; Survey Complete; Est. Date for connection Apr 2022 – June 2022
- There are 17 Deployment Areas that make up the County Roscommon rollout area.
- Broadband Connection Points (BCP) will provide free high speed internet access with many offering remote capabilities – 270+ will be rolled out nationally.
- 8 BCP locations and 32 schools in Roscommon are in scope to connect to high-speed broadband. Seven of the eight BCPs are live in Roscommon with one in progress. One school is live with the remainder in planning phase.
- Local Authorities, community groups and representative bodies are involved with stakeholder engagement with NBI. There are no live events at present – all consultation is done online.
- A dedicated point of contact for Public Representatives to get in touch with NBI is reps@nbi.ie and is live Monday to Saturday.

The Members welcomed the presentation and progress to date in Roscommon and had a number of

queries for Mr. Lavin:

- When will there be updates on the grey areas
- If a premises is not on the list, why not?
- How many premises will be connected in 1 year.
- The Monksland area of Athlone is less than a mile from a Regional exchange but the current service from Eir is not good,
- What is the logic of people in rural areas being the last to be connected via local exchanges?
- What is the situation with telecom poles where they are not going to be utilised.
- At what stage should a new build house contact NBI for a connection?
- Will Eir exchanges be used or disbanded?
- Where Eir have provided connections halfway down a road will the network be extended under NBI?
- What is the maximum speed? With fast evolving technology and a total investment of €3bn, is there a possibility it will be overtaken.?
- Has there been any discussion on fast tracking rural areas due to the current pandemic and remote working?
- There are signs for NBI on South Roscommon advertising the rollout in Co. Galway – can this be addressed.
- The current service provided by Eir is not up to standard.
- When the broadband service is rolled out – is it envisaged that the cost of broadband will decrease to customers?

The Chief Executive complimented the NBI for their approach and confirmed that additional resources will be provided by Roscommon County Council in facilitating the broadband roll out in Roscommon including planning, road opening licences etc.

Mr. Lavin responded to the questions raised as follows:

- In 2021 close to 5,000 will be completed in Roscommon and there will be ongoing engagement with customers. It is expected 11,000 will be completed by 2023.
- NBI have a detailed SLA with ENet and Eir with regard to their infrastructure including exchanges, poles access to their co location equipment etc. NBI will not build new exchanges.
- NBI will provide a wholesale service to all providers – if a customer is not happy with their service provider they can move to another provider.
- EIR have a stringent SLA with Government re fault repairs etc. and there are onerous penalties.
- Everyone on the list does not have access to high speed broadband and NBI are building out from exchanges so they cannot frontload rural areas first. They also have to provide equal progress all around the country.
- NBI have access to existing telecom infrastructure including poles. There is a Local Authority Liaison team working with the Broadband Officer in each county. If there are poles to be replaced, alternative mechanisms may be used. NBI are working with the roads authority re standardisation
- Adding on to the Eir 300 exchange – all premises are included that were provided by Department.
- The minimum speed provided will be 500MB
- The cost of the project is €2.6bn plus VAT. Any cost savings in the project, the Department will get 60% clawback.
- Satellite service is €99pm plus €400 installation and there is no guarantee of provision of service.
- Eir is rolling out fibre optic cable in urban areas as is NBI

- The same wholesale price will be charged by NBI and there will be competition between service providers for customers
- When a new build happens and there is an Eircom provided, a quarterly update from the Department will capture this. If a new premises is to be constructed, they should include a duct for broadband connection if they are on the route.

6.21 LEASE OF LANDS - ASSETS, ENERGY AND CLIMATE

On the **PROPOSAL** of Councillor Cummins

SECONDED by Councillor Byrne

It was **AGREED** that the Council consent to the lease of property pursuant to the provisions of Article 206 of the Planning and Development Regulations 2001, Section 211 of the Planning and Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001 of particulars of property which it is proposed to lease at the location in County Roscommon and to the persons set out in the schedule hereunder. Particulars of the property which the County Council proposes to lease:

The Property: Lands/Building at Termon Td. Boyle, Co Roscommon

The person(s) to whom the land is to be leased to : Boyle Courthouse Development CLG, Boyle., Co. Roscommon

The consideration proposed in respect of the lease: €500/annum for period 12th August 2015 to 11th August 2018 and 100/annum from 12th August 2018

Term of Lease: 20 years from 12th August 2015

7.21 RESCIND RESOLUTION FOR DISPOSAL OF LAND

On the **PROPOSAL** of Cllr. Murphy

SECONDED by Cllr. Callaghan

It was **AGREED** that Roscommon County Council does hereby rescind in its entirety its resolution dated 23rd November 2020 which approved the disposal of land of 0.14ha in the townland of Killappoge, Boyle, Co. Roscommon to Anthony Beirne, Portabello, Croghan, Boyle, Co. Roscommon.

8.21 DISPOSAL OF LAND - HOUSING

the **PROPOSAL** of Councillor Cummins

SECONDED by Councillor Callaghan

It was **AGREED** that the Council consent to the disposal of property pursuant to the provisions of Article 206 of the Planning and Development Regulations 2001, Section 211 of the Planning and Development Act, 2000 (as amended) and Section 183 of the Local Government Act, 2001 of particulars of property which it is proposed to dispose of at the location in County Roscommon and to the persons set out in the schedule hereunder. Particulars of the property which the County Council proposes to dispose:

The Property: 0.14hA under Folio RN41223FF Plan 15A in the Townland of Killappoge, Barony of Boyle, Co. Roscommon

The person(s) from whom the land was acquired: Anthony Lee

The person(s) to whom the land is to be disposed of: Anthony Lee

The consideration proposed in respect of the disposal: €7,250

9.21 APPOINTMENT OF EXTERNAL MEMBERS TO LCDC

On the **PROPOSAL** of Cllr. Callaghan

SECONDED by Cllr. Fitzmaurice

It was **AGREED** to appoint the following nominees from the PPN to the Local Community Development Committee (LCDC):

| Name | PPN Pillar | Community Group |
|---------------|--------------------------|---|
| Vincent Moran | PPN -Community Voluntary | Clonshanville Cemetery Committee |
| Gerard Fallon | PPN -Community Voluntary | Lecarrow Development and Tidy Towns Committee |
| Michael Ewing | PPN -Environment | Roscommon Environment Network |

It was further **AGREED** that Muireann Boyles, representing the Brothers of Charity replace Jody Healy on the LCDC.

10.21 VOTES OF CONGRATULATIONS AND SYMPATHY

- Congratulations to Dan O' Brien and Liam Casey from Lindan Designs, Roscommon on their great achievement at the National Enterprise Awards. Lindan Designs won the Future Focus Award.
- Congratulations to Cllr. Donal Kilduff and his partner Aga on the birth of their daughter Emilia Mae in December.

NEXT MEETING

The next meeting will be on Monday, 22nd March, 2021.

This concluded the business of the meeting.

The foregoing Minutes are
Confirmed and Signed:



Meetings Administrator



Cathaoirleach



Countersigned