

**MINUTES OF MONTHLY MEETING OF ROSCOMMON COUNTY COUNCIL
IN COUNCIL CHAMBER, ÁRAS AN CHONTAE, ROSCOMMON
ON MONDAY, 26TH JUNE, 2023 AT 4.00 PM.**

PRESENT:	Councillor John Keogh	PRESIDED
MEMBERS:	Cllr L. Fallon, Cllr E. Kelly, 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 J. Cummins, Cllr M. Mulligan, Cllr J. Murphy, Cllr J. Naughten, Cllr K. Shanagher and Cllr L. Callaghan.	
OFFICIALS:	Shane Tiernan, Chief Executive Majella Hunt, Director of Services Caitlín Conneely, Director of Services Sean Mullarkey, Acting Head of Finance Fiona Ni Chuinn, A/Director of Services Greg O'Donnell, A/Director of Services Patricia Bohan, Meetings Administrator Claudette Collins, Asst. Staff Officer Darragh Kelly, Communications Officer	

Apologies:

82.23 DISCLOSURE OF CONFLICT OF INTEREST (SECTION 177 OF THE LOCAL GOVERNMENT ACT 2001 AS AMENDED)

There were no Disclosures of Conflict of Interest declared by Members.

83.23 ADOPTION OF MINUTES

On the **PROPOSAL** of Cllr. Crosby

SECONDED by Cllr. McDermott

It was **AGREED** to adopt the minutes of the Plenary Meeting of 22.05.2023

84.23 MATTERS ARISING

Invalid Planning Applications: Cllr. Leyden welcomed the inclusion of invalid planning application figures contained in the monthly Management Report and expressed the hope these figures will decrease in coming weeks.

The Chief Executive said that Roscommon County Council’s planning process is completely transparent. In the case of poor quality applications, such applications are likely to be considered as invalid. While the Local Authority wished to see success in the rate of planning applications being approved, applications must reach an acceptable standard and must be publicly accountable.

The members discussed as follows:

- It is desirable invalidations fall from the current level of 26% and stressed the importance of

- dialogue between agents and applicants with the planning section.
- Members urged applications received must be robust to scrutiny and cautioned against any relaxation against planning laws.
 - Fears were expressed over potential investment being lost to the county due to the high invalidation rate.
 - Assessments should be carried out to determine reasons for invalidation, particularly where there are minor deficits in the application, which could, it was suggested, be resolved by a phone call.
 - It was suggested agents and planning office personnel would engage in an open day meeting for agents in efforts to decrease invalidations.
 - The Council should be giving a message that the county is open for business which should be reflected in the planning process.
 - It is accepted that planning staff are doing their job properly but consideration should be given to allocating staff to a pre-validation process to assess minor issues such as fees or other challenges.
 - In light of the current circumstances and what happened in Ukraine, the Minister should be asking counties to have another look at their County Development Plan because there is an issue too with regard to planning in rural Ireland – we need to keep our schools, our GAA and sporting facilities.

Acting Director of Services Greg O'Donnell said a balance needed to be struck in terms of planning invalidations which varied from county to county. He said the national average is 15-20%. Mr. O'Donnell said where applications were invalid, there were reasons and noted agents in such cases needed to be contacted on behalf of applicants.

Responding to issues raised, the Chief Executive said the planning code was contained within the County Development Plan (CDP). He repeated his contention there were no obstacles to local economic development by means of planning constraints. Applications are granted once in compliance with the CDP. He said the Council were committed to a process of considering invalidations and said if there is demand for an 'Open Day' on planning, then he was willing to facilitate this.

Mr. Tiernan said appropriate steps were continually being taken on planning applications with minor issues. He said the local authority was migrating to a new E-planning system. As a result, he said, invalidations may increase but in the long-run are likely to decrease.

On the **PROPOSAL** of Cllr. Waldron,
SECONDED by Cllr. Cummins,

It was **AGREED** that a letter be sent to the Minister and a copy to the Office of the Planning Regulator, requesting that the review of the Sustainable Rural Planning Guidelines 2005 be expedited as it is long overdue.

On the **PROPOSAL** of Cllr. Naughten
SECONDED by Cllr. Kilduff

It was **AGREED** that Roscommon County Council host a planning open day for agents and elected representatives with planning staff to discuss submission of planning documentation.

Lough Funshinagh Update: Cllr. Ward asked if a reply had been received from the Minister of Agriculture or the Minister for Finance on foot of a notice of motion he moved at a previous plenary meeting. He said his proposal sought compensation for farmers affected by flooding at Lough Funshinagh.

The meetings administrator read the reply received from the Minister of Agriculture.

Cllr. Ward stated that he was disappointed with the reply from the Minister that indicated there would be no compensation forthcoming to the farmers affected by the flooding issue. He is concerned for the future of residents and farmers affected by flooding in the area and also the fact that a number of farmers are being penalized under the single farm payment scheme.

The Members discussed the matter as follows:

- The meeting was told current flood levels were one foot higher than in the previous period last year.
- The meeting heard farmers are being penalised under their Single Farm Payment for using farmlands, with more leniency required from the Department.
- The Taoiseach should be contacted to intervene with relation to compensation.
- A further proposal for a letter be circulated to the EU Commission, also seeking intervention on behalf of local farmers was proposed by Cllr Kilduff and seconded by Cllr. Ward.

On the **PROPOSAL** of Cllr. Naughten
SECONDED by Cllr. Fallon

It was **AGREED** that a letter be sent to the Taoiseach seeking intervention to the lack of compensation payments for the farmers of Lough Funshinagh who are affected by flooding issues since 2015.

On the **PROPOSAL** of Cllr. Kelly
SECONDED by Cllr. Ward

It was **AGREED** members should receive an update on progress of the Lough Funshinagh working group after each meeting.

Responding to the concerns, Chief Executive said the expert group was fully committed to finding a flooding solution, in collaboration with the Office of Public Works (OPW). On the issue of determining baseline studies, he said the group were struggling to source consultants to do this work. He said finances to support any proposed works would be provided by the OPW.

85.23 MANAGEMENT REPORT

- Management Report for May 2023 noted.

86.23 DRAFT ANNUAL REPORT 2022

On the **PROPOSAL** of Cllr. Cummins
SECONDED by Cllr. McDermott

It was **AGREED** to adopt the Draft Annual Report for 2022

The Members welcomed the Draft Annual Report.

- The volunteer work of Civil Defence was welcomed as included in the Report

- Cllr. Cummins highlighted concerns over the enforcement and awareness of the Casual Trading Bye-Laws, contained in the Draft Annual Report. He mentioned the trading bays in Boyle on Saturdays where spaces are being taken up in excess of the permitted spaces when there is no enforcement inspection.

It was **PROPOSED** by Cllr. Cummins

and **SECONDED** by Cllr. McDermott that a review as to how casual traders operate on a Saturday would be carried out.

Responding, Director of Services Caitlín Conneely said a lot of work has been done with regard to enforcement of the Casual Trading bye-laws including an increased number of inspections on Saturdays.

87.23 CHIEF EXECUTIVE BUSINESS - UPDATE ON N61 CLASHAGANNY TO TULSK ROAD ROJECT

The Chief Executive provided an update for the members on the project. He said in May, legal papers were served on the Council by Feeney Solicitors on behalf of Pat Joseph Kenny (2023/394 JR) with regard to an application for leave to seek a judicial review to proceeding with the N61 Clashaganny to Tulsk project. Despite this, he said the Council were fully committed to delivering a safety scheme for the route.

Director of Services Greg O'Donnell said the project entails four kilometres of realignment to enhance road safety and improve connectivity and the Part 8 application was approved by Members at their Plenary meeting on 27th February 2023 after the statutory public consultation process. In light of the pending judicial review, the resolution will be set aside but Roscommon County Council remains committed to delivering the project.

The Cathaoirleach Cllr. Keogh said he was conscious the matter was before the courts but said the Council should express its unhappiness in an appropriate way.

The members expressed their disappointment at the update and the fact that the project is not proceeding as planned as it is a noted black spot.

Councillors said the area was an accident blackspot and understood all potential legal loopholes had been dealt with.

Members said most submissions during the consultation process were local which did not raise any immediate issues at the time.

Responding, the Chief Executive said that as the High Court has granted leave to go to judicial review, it has been decided to carry out a new Part 8 process rather than wait potentially for a long period of time for the result of the review but the work completed to date will not be lost. The application was thorough but further due diligence on environmental concerns will have to be completed but the alignment will not change.

In response to a query from Cllr. Cummins regarding a challenge to a new Part 8, the Director of Services said it was a possibility but the Council would vigorously oppose it. In response to a query on potential

increase in costs due to the delay, the Chief Executive said he was not in a position to answer that at this time.

88.23 CHIEF EXECUTIVE BUSINESS - RETIREMENT OF MS. MAJELLA HUNT, DIRECTOR OF SERVICES

The Chief Executive paid tribute to Director of Services, Majella Hunt on what was her last Plenary meeting of Roscommon County Council prior to her retirement on Friday.

Highlighting her 42 years of service which began in 1981 as an Assistant Staff Officer in the Finance section, Mr. Tiernan said Ms. Hunt served in a wide variety of roles, in many Departments in the Council including Assistant Chief Executive of the former County Enterprise Board.

A dedicated employee of the Council, Mr. Tiernan said Ms. Hunt gave care and commitment to her job and gave much of her own time to her roles. She was more recently instrumental in the delivery of €60m of projects throughout the county and she was the go-to person in the Council for her breadth and depth of knowledge. He went on to wish her, her husband Martin and her family every good wish in the future.

The Members paid tribute to Ms. Hunt, praising the legacy of her work and her dedication as a public servant:

- She has had the respect and admiration of the Elected Members throughout the years. She was approachable did her best to bring many projects to fruition throughout the county.
- Her first and foremost priority was for the citizens and communities in Roscommon.
- Councillors also cited Ms. Hunt's wide experience in many sectors as well as her work in delivering Town and Village Renewal Schemes for many villages as well as regeneration projects in Boyle, Roscommon town, Ballaghaderreen and Strokestown.
- During her time as head of the Roads Unit, she was complimented for the work done throughout the county to improve the road network.
- The development of Loughnaneane Park in Roscommon town is also a great legacy project.

Acknowledging the best wishes of members and management, Ms. Hunt said she was a Director of Services for the past 23 years. She said her objective was to work for communities for the betterment of the county.

Ms. Hunt thanked all of the staff she worked with to deliver services for the county and paid tribute to her fellow Directors of Services as part of the Management team. She remembered former colleagues and councillors who were deceased. She also acknowledged the support of communities and the outdoor staff of the local authority, who she said, were a vital cog in the work of the local authority.

89.23 CORRESPONDENCE

Acknowledgments to Resolutions from Roscommon County Council:

- **20th June, 2023** - Acknowledgement of correspondence from Mr. Roderic O'Gorman TD, Minister for Children, Equality, Disability, Integration & Youth, regarding the local childcare committee office in Castlerea.

Replies to Resolutions from Roscommon County Council:

- **22nd May, 2023** – Reply from Ms Holly Cairns TD regarding local post office support.

- **31st May, 2023** – Reply from Minister Charlie McConalogue regarding a provision of compensation for farmers in the Lough Funshinagh area.

Resolutions from other Local Authorities:

- **14th June, 2023 - Motion, Wicklow County Council**

That **Wicklow County Council** write to Minister McConalogue requesting him to contact all Dáil party leaders and MEPs to remind them of their own declarations on the Climate and Biodiversity Emergency and their commitment to youth and community groups, made in 2019, and more recently to the 2 Citizens Assemblies (adult & youth), regarding the restoration of nature as a matter of urgency, and that consultation takes place with farmers, foresters, community groups and other stakeholders to discuss any issues relevant to them. Furthermore, that Wicklow County Council writes to all party leaders urging them to work together with their MEPS to pass a strong EU Nature Restoration Law without delay.”

90.23 COUNCILLORS CONFERENCES - PAYMENT/ATTENDANCE

On the **PROPOSAL** of Cllr. Fallon

SECONDED by Cllr. Cummins

It was **AGREED** to adopt the list of payments for training and conferences as circulated.

91.23 ANY OTHER BUSINESS

91.23a AOB - STAFF UPDATE

Update on Strokestown Engineering staff: Concerns were raised over the lack of engineering staff in the Council sub-office in Strokestown. Cllr. Byrne said there was currently no resident Engineer in the Strokestown office and asked for an update on the issue.

Responding, Director of Services Caitlin Conneely said there was a high staff turnover due to a lot of promotional opportunities. She said it was challenging to recruit new people but said the Council were looking to fill all vacancies.

Cllr. Byrne said previously there was a Senior and Assistant Engineer in each operational area but noted that the Strokestown office was now being covered by a Senior Executive Engineer from the Boyle area. Her comments were supported by Cllr. Murphy.

91.23b AOB - CREDIT UNIONS

Credit Union movement commended: Cllr. Murphy paid tribute to the Credit Union organisation in Roscommon for opening new ATM’s in Ballaghaderreen, Strokestown, Roscommon and Elphin. He said the new facilities would assist customers following the closure of bank branches in recent years.

91.23c AOB - ANNUAL PERCY FRENCH FESTIVAL

Cllr .Waldron informed the members of the annual Percy French Festival taking place from July 19th to 21st in the grounds of Castlecoote House.

NEXT MEETING

The next meeting will be on Monday, 24th July, 2023.

This concluded the business of the meeting.

The foregoing Minutes are
Confirmed and Signed:

PATRICK BOHON

Meetings Administrator

Cllr. John Keogh

Cathaoirleach

PATRICK BOHON

Countersigned