

**MINUTES OF THE JANUARY ORDINARY MEETING OF SLIGO COUNTY COUNCIL HELD
ON MONDAY, 11TH JANUARY, 2016 AT 11.30AM IN THE COUNCIL CHAMBER,
COUNTY HALL, RIVERSIDE, SLIGO**

COUNCILLORS PRESENT:

- Councillor Baker,
- Councillor Bree,
- Councillor Casserly,
- Councillor Clarke,
- Councillor Gormley,
- Councillor Healy,
- Councillor Keaney,
- Councillor Kilgannon,
- Councillor Lundy,
- Councillor MacManus,
- Councillor MacSharry,
- Councillor Mulvey,
- Councillor O'Grady,
- Councillor Scanlon,
- Councillor Taylor.

OFFICIALS IN ATTENDANCE:

- Mr. Ciarán Hayes, Chief Executive
- Mr. Tom Kilfeather, Director of Services
- Ms. Dorothy Clarke, Director of Services
- Ms. Marie Whelan, Head of Finance
- Mr. Bartley Gavin, A/Director of Services
- Mr. Frank Moylan, A/Senior Planner
- Mr. Tom Brennan, Senior Engineer
- Mr. Joe Murphy, Senior Executive Officer
- Mr. John Moran, Senior Executive Officer
- Ms. Margaret McConnell, Senior Executive Officer
- Mr. Kevin Colreavy, Meetings Administrator
- Ms. Dolores McDonagh, Senior Staff Officer
- Ms. Karen Gallagher, I.S. Technical Support Officer
- Ms. Jo-Anne McGonigle, Assistant Staff Officer

CATHAOIRLEACH:

In the absence of Cathaoirleach, Councillor Rosaleen O'Grady, for the commencement of the meeting, Leas-Cathaoirleach, Councillor Paul Taylor presided.

APOLOGIES:

Apologies were received from Councillor G. O'Boyle.

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**ADJOURNMENT AS A MARK OF RESPECT – MICHAEL QUEENAN,
R.I.P.**

**It was proposed by Councillor S. Kilgannon
Seconded by Councillor J. Lundy**

AND AGREED

“That the meeting be adjourned for fifteen minutes as a mark of respect to the late Michael Queenan, brother of Councillor Joseph Queenan”.

Members present wished to be associated with this expression of sympathy. The Chief Executive, on his own behalf and on behalf of the Staff, also extended his sympathy to the Queenan family.

It was agreed to adjourn the meeting until 11.45 a.m.

**1. MINUTES OF DECEMBER ORDINARY MEETING HELD ON
7TH DECEMBER, 2015:**

**Proposed by Councillor M. Casserly
Seconded by Councillor D. Mulvey**

AND AGREED

“To confirm the Minutes of the December Ordinary Meeting of Sligo County Council held on 7th December, 2015”.

**2. MINUTES OF MEETINGS OF THE LOCAL TRAVELLER
ACCOMMODATION CONSULTATIVE COMMITTEE:**

**Proposed by Councillor S. Maguire
Seconded by Councillor S. Kilgannon**

AND AGREED

To confirm the Minutes of Meetings of Local Traveller Accommodation Consultative Committee held on 12th September, 2014, 14th October, 2014, 28th January, 2015, 21st April, 2015 and 8th July, 2015”.

**3. MINUTES OF MEETING OF MUNICIPAL DISTRICT OF BALLYMOTE-
TOBERCURRY HELD ON 19TH OCTOBER, 2015:**

**Proposed by Councillor J. Lundy
Seconded by Councillor E. Scanlon**

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AND AGREED

To confirm the Minutes of the Meeting of the Municipal District of Ballymote-Tobercurry held on 19th October, 2015”

**4. MINUTES OF BUDGET MEETING OF THE MUNICIPAL DISTRICT OF
BALLYMOTE-TOBERCURRY HELD ON 12TH NOVEMBER, 2015:**

**Proposed by Councillor M. Clarke
Seconded by Councillor E. Scanlon**

AND AGREED

To confirm the Minutes of the Budget Meeting of the Municipal District of Ballymote-Tobercurry held on 12th November, 2015”.

**5. PRESENTATION ON “FAMILIES OF THE UNDOCUMENTED IRISH IN
AMERICA”:**

Leas Cathaoirleach, Councillor P. Taylor, welcomed Mr. Michael McMahon on behalf of the “Families of the Undocumented Irish in America” to the Meeting.

Mr. McMahon thanked the Members for the opportunity to make a presentation to them. He circulated a leaflet detailing the background and scale of the issue of undocumented Irish people in America, and outlined the enormous difficulties this had caused them and their families. Mr McMahon requested Members to lobby Government on their behalf

The Leas Cathaoirleach and Members thanked Mr. McMahon for his presentation

**It was proposed by Councillor M. Clarke
Seconded by Councillor S. Maguire**

AND AGREED

“That Sligo County Council write to the Minister for Foreign Affairs, the Taoiseach and the Ambassador to pursue the waiver system to allow Irish people to travel home for family occasions and to express our disappointment that only 80 people have been offered this in 2013”.

6. UPDATE ON DECEMBER STORM DAMAGE:

With the agreement of the Members, it was decided to take items 30 and 34 following Mr. Kilfeather’s report as these items also related to the same matter.

**Proposed by Councillor T. Healy
Seconded by Councillor S. MacManus**

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“To ask Sligo County Council for an up to date report on the recent flood damage to roads and property in Union Wood and Knockbeg, Collooney, the Coolaney/Collooney road also Mowlam Nursing home and Woodlands estate in Ballytivnan and the Ballygawley to Collooney road. Has a plan been put in place to avoid a reoccurrence?”.

Proposed by Councillor M. Gormley

Seconded by Councillor J. Lundy

“Due to the ongoing flooding on the R294 at Kilcoynes Oughambaun, and Gallaghers Quarryfield resulting in the road having to be closed the council puts forward proposals for special funding to the Department of Transport to have measures put in place to avert this happening in the future”.

The Members were advised that Mr. Kilfeather and his team had been working throughout the holiday period, reporting on a daily basis and liaising with the National Emergency Committee.

Mr. T. Kilfeather presented details to the Meeting regarding the three December storms events –

- Storm Desmond – 3rd to 8th December
 - Storm Eva – 22nd and 23rd December and
 - Storm Frank – 29th and 30th December.
-
- November 2015 seen rainfall 140-200% above average for the time of year.
 - December 2015 was exceptional in terms of rainfall, the wettest recorded for December with 240-300% the average rainfall recorded at 18 of the 25 Met Éireann weather stations around the country.

Storm Desmond (3rd to 8th December)

- Rainfall in 36 hour period during the weekend of 4th to 6th December was equivalent to one month’s rainfall.
- Council had been briefed on 7th December on areas affected, the actions that had been taken, numbers of staff involved with a view that the storm event had peaked.
- Water levels continued to rise for the remainder of that week across the county.
- Roads were flooded and closed across the county, including Regional roads, but there were significant problems in the Carraroe, Ballyfree and Oakfield areas.
- Up to 12 houses were directly affected by flooding or threatened with flooding in the Carraroe, Ballyfree and Oakfield areas.

Storm Eva (22nd to 24th December)

- Gale force winds of up to 120 kms. on 23rd and 24th December with a significant number of trees down. These were cleared quickly by staff.

Storm Frank (29th and 30th December)

- There was rainfall and strong winds during this storm. However, no significant issues arose.

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Estimates of exceptional costs from Storm Desmond submitted to the Department on 15th December were €297,000. These costs were reimbursed to Sligo County Council before 31st December. This would cover staff costs, materials, hire of equipment and contractors to respond to events and assist with clean up costs. Estimated further exceptional and clean up costs incurred during the second and third storm events are approximately €50,000 and a submission has been made to the Department.

The preliminary estimate for the cost of repair/restoration of roads was submitted to the Department on the 18th December in the sum of €1.44 million. Further, updated estimates followed on 31st December for €1.65 million and on 4th January for €1.75 million.

The Piers and Harbours infrastructure was inspected on 4th January. Damage of circa €50,000 at Mullaghmore Pontoon was brought to the attention of the Department on 5th January.

Mr. Kilfeather advised the Members that the Council's Emergency Management Team held a post Storm Desmond review meeting on 21st December. A consolidated report from each Section is targeted for mid February.

Details of the effects of the storms on a national context were further outlined to the Meeting.

Mr. Kilfeather outlined the next steps for the Council, including the assessment of current status of the road network, preparation of formal cost estimates and its impact on 2016 Roads programme, and consideration to the engagement of a Hydro-geologist to review issues in Carraroe/Oakfield in particular.

In addition to commending Mr Kilfeather and his team. the Chief Executive acknowledged the contribution of the Army, Civil Defence and the Office of Public Works have been engaged over the holiday period. The Leas-Cathaoirleach thanked Mr. Kilfeather for his report and for the work the Director of Services and his team, including the Engineers and Outdoor Staff, had done and were continuing to do. Members wished to be associated with these wishes and gave several examples of areas affected and assistance given.

In relation to Item 30,

"To ask Sligo County Council for an up to date report on the recent flood damage to roads and property in Union Wood and Knockbeg, Collooney, the Coolaney/Collooney road also Mowlam Nursing home and Woodlands estate in Ballytivnan and the Ballygawley to Collooney road. Has a plan been put in place to avoid a reoccurrence?"

Mr. Kilfeather reported as follows:

"It should be noted that November's rainfall was twice the normal monthly average and on top of this a month's worth of rain fell during Storm Desmond on 4th/5th December. Overall, record amounts of rain fell during December. These were exceptional rainfall events. Flooding at particular locations could be due to a range of issues including overland flow, flooding due to rivers/watercourses overflowing or due to rising groundwater.

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Solutions to mitigate flooding risk at particular locations can be very complex and can involve several agencies. The most appropriate means of addressing this issue is through the OPW's CFRAM'S process which includes considerable consultation with local authorities and the public".

**It was proposed by Councillor T. Healy
Seconded by Councillor S. MacManus**

AND AGREED

"To call on the Government to use the individual studies carried out by the O.P.W. under the National Catchment-based Flood Risk Assessment and Management Programme to address the ongoing flood risk in the Sligo town and surrounding areas".

In relation to Item 34:

"Due to the ongoing flooding on the R294 at Kilcoynes Oughambaun, and Gallaghers Quarryfield resulting in the road having to be closed the council puts forward proposals for special funding to the Dept of Transport to have measures put in place to avert this happening in the future".

Mr. Kilfeather advised the Members that

Sligo County Council is currently drafting proposals and estimates to reduce flooding on the road at the above locations. We will submit these to the Department once this process has been completed. Even on completion of works future flooding cannot be ruled out at the above locations due to the topography of the area.

ADJOURNMENT FOR LUNCH:

The Meeting was adjourned at 1.20 p.m., to resume at 2.20 p.m.

CATHAOIRLEACH:

On resumption of the meeting at 2.20 p.m., Cathaoirleach, Councillor R. O'Grady took the Chair.

7. SLIGO LOCAL ECONOMIC AND COMMUNITY PLAN (LECP) 2016-2021:

Councillor S. MacManus advised the Members that, as Chair of both the L.C.D.C. and S.P.C. 3 (Planning, Community and Economic Development, Arts and Culture), he wished to emphasise the importance of this document to the Meeting. Councillor MacManus said that it was not over stating it to say that it is one of the most significant documents to be brought before the County Council in recent years. In his opinion, Economic development cannot happen in a vacuum and this document has been the subject of public consultation and public display.

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Councillor MacManus indicated that the Plan identifies key actions across a wide range of economic and community activities. It sets out goals and how they can be achieved, for the promotion and development of Sligo's economy. It is important in its own right and will take on a new significance as the new blueprint. Groups should, therefore, familiarise themselves with the Plan. It will be the reference point for assessing applications for future economic and community development and contained various aspirations in one, overall Plan.

The Plan has now gone through the statutory process for consideration and adoption and statements of support have been received from both Municipal Districts and the Northern & Western Regional Assembly.

In conclusion, Councillor MacManus thanked his colleagues on the L.C.D.C. and Planning S.P.C. for their work on shaping and preparing the Plan. A small group of Council Staff had worked diligently and Councillor MacManus wished this to be recognised. It is a reserved function to make this Plan and implementation will be the next challenge to be faced.

Ms. D. Clarke reiterated points raised by Councillor MacManus and presented the following details on the background to the L.E.C.P.:

- Promotion of economic development and community development devolved to Local Authorities.
- The preparation of the draft L.E.C.P. became a statutory function of Local Government as part of the Local Government Reform Act in 2014.
- The process involved extensive stakeholder engagement.
- The Plan provides the overarching Strategic Vision and framework for economic and community development in the county for the next six years.
- It identifies specific, key actions across a wide range of economic and community activity and sets out how they can be achieved.
- A key ambition of the Plan which has guided the process to date is to promote and develop Sligo as the economic driver of the north west region and as an attractive location for investment, tourism, commerce, entrepreneurship and employment.
- Its' overriding objective is "To promote the well-being and quality of life of citizens and communities in Co. Sligo".
- Details of the structure of the LECP were set out including the overarching vision, goals, targets, objectives and actions.
- The Action Plan and key considerations included in Chapter 7 of the Plan were outlined to the Meeting.
- The Strategic Vision by 2021 is that "County Sligo will be an enterprising, inclusive, resilient and environmentally sustainable place which values and celebrates its unique landscape, rich culture and heritage and where the well-being of future generations is central to everything we do".

The Chief Executive advised the Members that many of the areas are covered in the various actions. One of the most important actions is how we collaborate with the other Agencies. The impact of climate change that we are now going to be dealing with had been evident over the past month. This will become far more important from the sector's point of view. The Members, Mr. Hayes indicated, would all be aware of certain policy documents in the County Council that are important, e.g. the County Development Plan. The L.E.C.P. is another of those and is a blueprint by which Sligo County Council will be measured into the future for its economic and community development.

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**It was proposed by Councillor S. MacManus
Seconded by Councillor S. Maguire**

AND AGREED

“To make the Sligo Local Economic and Community Plan 2016-2021 in accordance with Section 66A-H of the Local Government Act 2001”.

**8. DECLARATION OF ROADS TO BE PUBLIC ROADS – “THE ROCK”,
TUBBERCURRY:**

**Proposed by Councillor M. Gormley
Seconded by Councillor J. Lundy**

AND AGREED

“That Sligo County Council, being satisfied of their general public utility, declares the Roads named below to be Public Roads in accordance with Section 11(1) of the Roads Act, 1993.”

Road Number and Location:

*L-84067-0 and L-84067-1 Roads situate in the development known as “The Rock”,
Tubbercurry, Co. Sligo”.*

9. MONTHLY MANAGEMENT REPORT FOR NOVEMBER 2015:

Councillor D. Bree sought and was given clarification in relation to a) costs associated with a visit to the U.S. in March 2014 raised in the Local Government Auditor’s Report and b) Participation by groups registered with the P.P.N. at Plenary Meetings.

With the agreement of the Members, the Monthly Management Report for November 2015 was noted.

**10. TO APPOINT ONE MEMBER TO THE SLIGO GAOL CONSERVATION
PLAN STEERING GROUP:**

Members enquired whether more than one Member could be appointed to this Steering Group and Ms. D. Clarke, Director of Services, confirmed that the nominations were not limited to one Member.

The following Members were nominated:

**Proposed by Councillor M. Clarke
Seconded by Councillor M. Gormley**

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AND AGREED

“That Councillor M. Casserly be appointed to the Sligo Gaol Conservation Plan Steering Group”.

**Proposed by Councillor S. Kilgannon
Seconded by Councillor M. Baker**

AND AGREED

“That Councillor E. Scanlon be appointed to the Sligo Gaol Conservation Plan Steering Group”.

**Proposed by Councillor S. MacManus
Seconded by Councillor E. Scanlon**

AND AGREED

“That Councillor T. Healy be appointed to the Sligo Gaol Conservation Plan Steering Group”.

**Proposed by Councillor H. Keaney
Seconded by Councillor D. Mulvey**

AND AGREED

“That Councillor S. Maguire be appointed to the Sligo Gaol Conservation Plan Steering Group”.

11. TO CONSIDER THE COMMUNITY AND VOLUNTARY GRANTS SCHEME:

Councillor D. Bree advised the Meeting that he was aware that the Chief Executive has agreed to a request from the Convenors of the Residents' Association Committee to meet with them. It was, therefore, suggested that consideration of this matter would be deferred until this Meeting had taken place.

Ms. D. Clarke advised the Meeting that a deferral would mean that advertisement of the scheme would be delayed.

**Proposed by Councillor D. Bree
Seconded by Councillor S. MacManus**

AND AGREED

“That consideration of Item 11 ‘To consider the Community and Voluntary Grants Scheme’ be deferred until the February meeting of the Council”.

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**12. TO APPOINT MEMBERS TO THE ASSESSMENT PANEL FOR THE
CONTRIBUTIONS TO THE ARTS SCHEME:**

Ms. D. Clarke reported that, further to the report submitted to Council Members at the Council Meeting held on 2nd November 2015 in relation to the following:

“To review the operation of the Council’s Contributions to the Arts Grant Scheme”

It was agreed that an assessment panel be appointed composed of four Members of the Council – one from each political grouping plus the Cathaoirleach and one person with arts expertise from outside the County.

Nominees to the Assessment Panel were then requested. The following nominations were agreed by the members.

**Proposed by Councillor M. Gormley
Seconded by Councillor M. Clarke**

AND AGREED

“That Councillor D. Bree be appointed to the Assessment Panel for the Contributions to the Arts Scheme”.

**Proposed by Councillor T. MacSharry
Seconded by Councillor P. Taylor**

AND AGREED

“That Councillor S. Kilgannon be appointed to the Assessment Panel for the Contributions to the Arts Scheme”.

**Proposed by Councillor D. Mulvey
Seconded by Councillor H. Keaney**

AND AGREED

“That Councillor S. Maguire be appointed to the Assessment Panel for the Contributions to the Arts Scheme”.

**Proposed by Councillor T. Healy
Seconded by Councillor M. Gormley**

AND AGREED

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“That Councillor S. MacManus be appointed to the Assessment Panel for the Contributions to the Arts Scheme”.

**13. SECTION 128 OF THE LOCAL GOVERNMENT ACT, 2001 –
RECOGNISED ASSOCIATIONS:**

Ms. D. Clarke, Director of Services, advised Members that the Department and the Council are not aware of any Association under this Section having been established by any Local Authority.

Councillor D. Bree stated that it was the purpose of Section 128 was to facilitate engagement by Community Groups and voluntary work and that it imposes no additional costs to the County Council and is a mechanism to solve the current impasse. He indicated that there is a significant reluctance to invoke this Section 128 and the purpose of this legislation was to facilitate engagement between community groups and local authorities.

The Chief Executive acknowledged that Members were entitled to interpret the Section in that way, but his view is that it does not remove the obligations on any of these Associations with regard to insurance, health and safety issues, risk assessment etc. In response to queries from members, the Chief Executive advised the Meeting that, when employing Contractors for works on roads, grass cutting, etc., Sligo County Council must require those Contractors to have public liability insurance. Some Residents' Associations already have public liability insurance in place and, Mr. Hayes felt, it is a prudent approach for each Residents' Association to have their own insurance.

Ms. D. Clarke advised the Members that this had been researched at length and there is no opposition or resistance to this. It is not as easy as just invoking the legislation to declare a Residents' Association or Community Group.

Ms. D. Clarke advised that while the making of a Section 128 agreement was a reserved function, this issue had been researched and noted our Insurers advice that Sligo County Council would have to include a condition in relation to insurance cover in any such agreement.

Councillor Bree requested that a copy of the correspondence referred to from the Council's Insurers would be circulated to the Members.

Members agreed to note the report.

14. COMMERCIAL RATES ON EDUCATIONAL FACILITIES:

With the agreement of the Members, this item was deferred to the Agenda for the February Meeting.

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15. SUPPORT FOR ST. VINCENT DE PAUL:

**Proposed by Councillor M. Clarke
Seconded by Councillor S. Maguire**

AND AGREED

“I call on Sligo County Council to support Saint Vincent De Paul in the efforts with their Christmas appeal and to acknowledge the extraordinary work they do in our county.”

16. HOME IMPROVEMENT AND HOUSING IN LIEU GRANT SCHEMES:

**Proposed by Councillor M. Clarke
Seconded by Councillor M. Casserly**

AND AGREED

“To call on Sligo County Council to (a) contact the Department with the view to develop a home improvement grant scheme to enable people on low income to bring their private family homes up to an acceptable standard. young families that may need a extra room for over crowding, new roof, windows heating system, (b) to activate the old housing in lieu grants.”

Mr. J. Murphy reported that the Council will make representations, as requested, to the Department in relation to a Home Improvement Grant Scheme.

He advised although Housing in lieu grants have not been available for some time that the Council will take up the proposal to reactivate the Scheme with the Department with a view to making it available again in Sligo.

Councillor M. Clarke welcomed the report.

17. BUS SHELTER FOR GRANGE:

**Proposed by Councillor S. Kilgannon
Seconded by Councillor T. MacSharry**

“That Sligo County Council request the National Transport Authority to include Grange in County Sligo for the erection of Bus Shelters in 2016.”

Mr. T. Kilfeather reported that

“We understand that Bus Eireann is applying for funding for Bus Shelters at John Street, Markievicz Road and Rathcormac in 2016.

We can request Bus Eireann to make a further request for a Bus Shelter to be provided in Grange.”

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Councillor Kilgannon enquired whether it is possible for local authorities to carry out this work and recoup the costs from Bus Éireann. However, the Chief Executive advised the Members that where he had carried out these works in another local authority area, he had been contacted by the National Transport Authority subsequently asking that the function would remain with the N.T.A.

Members raised the possibility of locating bus shelters in other parts of County Sligo including Coolaney, Tubbercurry, Gurteen and Ballymote and asked that Mr. Kilfeather would revert to Bus Éireann regarding these additional locations. Mr. Kilfeather agreed to do so.

Following a further enquiry regarding the cost of installing the units, the Chief Executive advised the Members that the major part of the expense is the Civil Engineering work required to put them in place.

18. MEDICAL CARDS:

**Proposed by Councillor J. Lundy
Seconded by Councillor S. Kilgannon**

AND AGREED

"To ask Sligo County Council to write to the Minister for Health and the H.S.E. in relation to the ongoing Medical Card crisis, which is causing huge distress to many people, especially to those who are ill and our senior citizens."

19. FUNDING TOWARDS COUNCIL'S FINANCIAL DEBTS:

**Proposed by Councillor T. MacSharry
Seconded by Councillor J. Lundy**

AND AGREED

"That Sligo County Council call on Central Government to acknowledge the extraordinary commitment of the people of Sligo in bearing the brunt of cuts necessary to meet the councils financial debts and therefore allocate a once off, immediate bail out of €50m in early 2016 before the general election to alleviate debts caused by the expansionary policies demanded by the Department of the Environment in pursuit of the targets and ambitions set out in the national spatial strategy."

20. BALLYMOTE COURT AND RE-OPENING OF GARDA STATIONS:

**Proposed by Councillor T. MacSharry
Seconded by Councillor S. Kilgannon**

AND AGREED

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"That Sligo County Council call on Central Government and the Minister for Justice in particular to re-establish Ballymote Court and re-open Garda stations closed in this area."

**21. UPGRADING OF SEWAGE TREATMENT WORKS AT GRANGE,
STRANDHILL AND TUBBERCURREY:**

**Proposed by Councillor T. MacSharry
Seconded by Councillor S. Kilgannon**

AND AGREED

"That Sligo County Council call on the Minister for the Environment to urgently direct Irish Water to proceed with the upgrade of the sewage treatment works at Grange, Strandhill, and Tubbercurrey."

22. IMPROVEMENT WORKS ON RINBANE ROAD (R461/558):

**Proposed by Councillor M. Gormley
Seconded by Councillor D. Mulvey**

"That the Council carry out improvement works on the Rinbane Road, (R461/558) and that its part of the Roads Programme 2016."

Mr. T. Kilfeather reported as follows:

"No funding currently exist to allow the upgrade of County Road CR 461/558 but this location can be considered as part of the Schedule of works for the Ballymote/Tubbercurrey Municipal District for 2016 subject to the appropriate funding levels".

Councillor Gormley added that, since placing this motion on the agenda, the condition of this road had deteriorated further. Members also complimented the Council's staff for opening culverts in this area to alleviate flooding.

**23. IMPROVEMENT OF SIGHT LINES AT ROSSES POINT
ROAD/SCOTMAN'S WALK JUNCTION:**

**Proposed by Councillor S. Kilgannon
Seconded by Councillor T. MacSharry**

"To ask the Roads Department of Sligo County Council to improve sight lines at the junction on the Rosses Point road with Scotman's walk for health and safety reasons".

Mr. T. Kilfeather, Director of Services advised the Members as follows:

"The Roads Department are finalising a design for the improvement of sightlines at the junction of Scotsman's Walk and the R291 Rosses Point Road. Preliminary discussions are

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also underway with the relevant landowner. A further update will be provided as this matter progresses”.

24. ROSSES POINT GRAVEYARD:

**Proposed by Councillor S. Kilgannon
Seconded by Councillor T. MacSharry**

“To ask Sligo County Council what plans if any they have for an extension to Rosses Point Graveyard”.

Mr. T. Kilfeather reported that

“Sligo County Council have been in discussion with the landowner adjacent to the graveyard to see if he would sell a portion of his land for an extension to the graveyard but this has been unsuccessful. If an alternative site is available Sligo County Council will assess its suitability”.

25. EMPLOYMENT REGULATION ORDER – WORKERS IN THE CHILDCARE SECTOR:

**Proposed by Councillor M. Casserly
Seconded by Councillor S. Maguire**

AND AGREED

“I propose that this Council write to the Minister for Jobs Enterprise and Innovation to the effect that the government should, under the Industrial Relations (Amendment) Act, allow for the adoption of an Employment Regulation Order to be established for workers in the Childcare Sector”.

26. OMBUDSMAN FOR WASTE AND RECYCLING INDUSTRIES:

**Proposed by Councillor M. Casserly
Seconded by Councillor S. Maguire**

AND AGREED

“I propose that the Council write to the Minister of the Environment and Local Government to establish an ombudsman for the waste and recycling industries, the function of which would be to regulate the significant increases in charges that are being levied on householders and businesses over the past number of years”.

In reply to queries raised, Mr. T. Kilfeather referred to “Waste collection issues in Sligo” report which had been circulated to the Members under item 11 of the December 2015 Meeting.

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27. RESTRICTIONS ON CREDIT UNIONS:

**Proposed by Councillor S. Kilgannon
Seconded by Councillor J. Lundy**

AND AGREED

“Sligo County Council expresses its deep concern over the signing by the Minister for Finance Michael Noonan on the unnecessary Credit Union Restrictions on the amount of deposits an individual can hold in a Credit Union”.

32. GLO-HEALTH ALL-IRELAND SCHOOLS AND UNIVERSITIES CROSS COUNTRY FINALS:

At the request of Councillor M. Casserly, and with the agreement of the Members, item 32 on the Agenda was dealt with at this point in the Meeting.

**Proposed by Councillor M. Casserly
Seconded by Councillor D. Bree**

AND AGREED

“That Sligo County Council support the GloHealth All-Ireland Schools and Universities cross country finals in whatever way possible to ensure that this unique national event is a resounding success.

March 5th sees the GloHealth All-Ireland Schools and Universities cross country finals taking place at Sligo Racecourse. This is the first time ever that this event has come to Sligo and will be the biggest athletics event in Sligo to date. 2016 also marks 100 years of Irish Schools Athletics. Over 1000 athletes will be competing on the day from all four provinces in minor, junior, inter and senior schools races as well as universities races, for male in female in all categories. Expected attendance will be 3000-5000”.

Mr. T. Kilfeather confirmed that, should the Organisers require assistance from Sligo County Council in relation to barriers, etc. that could be arranged. Contact details would be furnished, if required.

Mr. Kilfeather further emphasised that, due to the size of the event, it would be important that the Organisers would liaise with the Council in relation to traffic management, etc.

28. DRAINAGE OF ARROW AND OWENMORE RIVERS:

**Proposed by Councillor D. Mulvey
Seconded by Councillor M. Gormley**

“To ask Sligo County Council has a cost estimate been prepared for funding and, if so, has this been submitted to the OPW for drainage works along the main channels of Arrow and Owenmore Rivers.

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The Minister has stated that a breach of the Habitat Directive will be allowed for urgent works under this scheme as a result of the extensive flooding to lands and roads in South and East Sligo”.

Mr. T. Kilfeather reported as follows:

“The implementation of arterial drainage works on river catchments is a function of the OPW and as such I understand that it is they who would prepare cost estimates and plans for such works.

Sligo County Council has responsibility under the Arterial Drainage Acts, for general drainage maintenance works in the Owenmore River catchment and a funding allocation is made each year by this Council towards these works. These general maintenance works are carried out by the Ballymote/Tubbercurry Engineering area in consultation with landowners/council members etc.

Further to this it is proposed in 2016 to seek the advice of the OPW as to the most appropriate drainage works to carry out within the Council funding envelope so as to alleviate flooding as best as possible in the circumstances”.

29. DUAL CARRIAGEWAY AT BALLISODARE:

**Proposed by Councillor T. Healy
Seconded by Councillor S. Maguire**

“To ask Sligo County Council to contact the NRA to address the issue of water flowing out onto the dual carriage at the Ballisodare exit coming from Sligo”.

Mr. T. Kilfeather advised the Meeting that this issue arises during periods of heavy rainfall and as a consequence of leaves blocking gulleys at the lower end of the existing drainage channel just south of the Ballydrehid Interchange.

Funding is in place in order to resolve this issue and the necessary works are scheduled to be completed during the first quarter of 2016.

31. REVIEW BY ETHICS REGISTRAR:

Councillor D. Bree referred to apologies received by his colleague, Councillor G. O’Boyle for being unable to attend the Meeting. He had, however, requested Councillor Bree to move the motion which had been submitted in both their names.

**Proposed by Councillor D. Bree
Seconded by Councillor T. Healy**

“That the Council be provided with a copy of the report of the review carried out by the Council’s Ethics Registrar in response to the screening on the 7th December of the RTE Investigates programme on Standards in Public Office, and further that the Council requests the Standards in Public Office Commission to outline its response to the contents of the programme.”

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Mr. B. Gavin, A/Director of Services reported as follows:

“The review of the Ethics Registrar has yet to be concluded and any actions arising from the review have yet to be determined.

I attach a copy of the statutory duties of the Ethics Registrar for your information and draw your attention to subsection (8) whereby the Cathaoirleach and/or Chief Executive shall consider what action should be taken where a matter has been brought to their attention under subsection (7). Any such action may include:

- 1. Any investigative or disciplinary procedures which may be exercised in relation to the person concerned, whether under any provision or any other enactment or otherwise,*
- 2. Referral of the matter to the Director of Public Prosecutions in accordance with subsection (1)(b) or (4)(b) of section 181 as the case may be,*
- 3. Any other course of action considered appropriate in the circumstances.*

Having regard to the above, I am to advise that the matter is currently at deliberative stage and while a report will issue to the Members on the conclusion of the process, it is considered premature to issue a report at this point”.

Councillor D. Bree thanked Mr. Gavin for his report and said the Members would await its completion.

33. FOOTPATH TO DRIMINA NATIONAL SCHOOL:

**Proposed by Councillor J. Lundy
Seconded by Councillor P. Taylor**

“I will ask this Council to provide for in the Road Works Scheme 2016, a footpath from the junction of Road 516/R294 to Drimina National School, which is located on the very busy Regional Road the R294, in the interest of safety for the children who have to walk to school along this very busy road (R294)”.

Mr. T. Kilfeather reported to the Meeting that *the provision of a hard shoulder in this area, along the R294, is desirable to accommodate pedestrians. Land Acquisition is required. The Area Engineer will contact the landowner about this. If the land was available the scheme could be considered for construction under a future Schedule of Ballymote/Tubbercurry District Works.*

35. NATURAL GAS FROM CORRIB PIPELINE:

**Proposed by Councillor J. Lundy
Seconded by Councillor P. Taylor**

“On Tuesday, 29th December, 2015, the Minister for Energy and Natural Resources, Alex White, T.D. signed the licence allowing natural gas to flow in the Corrib pipeline.

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I will ask this Council to write to the Minister asking that Sligo city and county would benefit from this natural resource, in view of the fact that it is coming ashore in our neighbouring county Mayo. This would help attract industry to our county and in turn create much needed employment for the people of Co. Sligo”.

36. TREES ON N59 AT BELTRA:

**Proposed by Councillor D. Mulvey
Seconded by Councillor P. Taylor**

To ask Sligo County Council to examine the large old Trees which overhang on to the N59 at Beltra as some appear in a dangerous condition”.

Mr. T. Kilfeather advised the Members that the Area Engineer will look at the trees and contact the landowner for them to arrange a professional tree surgeon to examine the trees and carry out any works required to avoid trees/branches falling onto the N59 in this area.

37. DRAWDOWN OF FUNDING:

**Proposed by Councillor D. Bree
Seconded by Councillor S. MacManus**

“Noting that the Council drew down the sum of €1,232,000 from the Department of the Environment, in May 2008 to pay for the purchase of 6 apartments designated for social housing which have not yet been purchased; and further noting that the Council received loans amounting to €750,000 in 2010 for the provision of burial grounds and only €170,000 of this money has been spent; this Council requests the Chief Executive to indicate what the outstanding €1,812,000 balance is being used for; and further the Council requests the Chief Executive to indicate if any other funding has been received or borrowed for specific projects which has not been used for the specific projects.”

Ms. M. Whelan, Head of Finance, reported as follows:

“All money received from the Department in 2008 have been lodged to the Council’s main bank account and the Loans drawn in 2010 have been lodged to the Council’s main bank account; all of which has been reviewed on Audit by the External Auditor in these years.

The Annual Financial Statements every year present the balances of these projects referred to and all other projects of the Council that continue over more than one year in the Capital Account within the Financial Statements in Appendix 5. This sets out the analysis of Expenditure and Income for the year along with the opening balance, transfers and the closing balance for each of the programme groups. The balances for these Social Housing units and Burial Grounds are available within the Capital account.

Also within the Annual Financial Statements in the Balance Sheet are the Current Assets and Current Liabilities that reflect the cash and cash equivalent position of the Council at year-end. The Statement of Funds Flow along with notes 18 to 23 forming part of the

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accounts sets out in detail movements is cash from the activities of the Council. The cash balance moves on a daily basis”.

38. DRAFT COUNTY DEVELOPMENT PLAN 2017-2023 UNCONVENTIONAL GAS EXPLORATION AND EXTRACTION:

**Proposed by Councillor D. Bree
Seconded by T. Healy**

“That Sligo County resolves to include the following text and policies in regard to Unconventional Gas Exploration and Extraction, in the Draft County Development Plan 2017-2023:

UNCONVENTIONAL GAS EXPLORATION AND EXTRACTION

It is a strategic goal of the County Development Plan to adopt the ‘precautionary principle’ in respect of development where significant environmental implications are involved, in particular proposals for unconventional oil/gas exploration and extraction projects/operations.

Further to this, the Council wishes to safeguard and nurture the unspoilt/green image and reputation of Sligo and the health of its present and future communities, centred on the rural characteristics of the County, agricultural activity, the landscape and its environmentally sensitive lands and water bodies – both surface and groundwater.

This Council is cognisant of the significant ongoing controversy around, and the significant proven levels of risk associated with, unconventional oil/gas exploration and extraction internationally and acknowledges that the high volume of public objections to unconventional oil/gas exploration and extraction internationally, nationally and locally relate to potential and actual adverse impacts on the environment and human health, including impacts on:

Local Communities;

Local Infrastructures;

Local Landscapes and Amenities;

Water Quality and Water Supplies;

Air Quality and Safety;

Land/Soil Integrity;

Agriculture;

Tourism;

Climate Change;

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Local Businesses;

Property Prices.

Objections are not solely restricted to the above.

Applications for onshore exploration licences have been received for the Northwest Carboniferous Basin including parts of Leitrim and several other counties.

It is acknowledged by this Council that there is significant and growing public concern in respect to the social, public health, economic and environmental impacts that may be associated with unconventional oil/gas exploration and extraction in County Sligo and adjacent counties. This Council will endeavour to protect the rights of the people of Sligo and adjoining counties to be safe in their own communities and understands that short term national policy can have long term and permanent negative effects.

In 2012 Sligo County Council adopted the following motion: "Recognising the dangers that hydraulic fracturing/fracking poses to water quality, to human safety and the general environment, this council resolves to work together with other local authorities in the region, to oppose the practice of hydraulic fracturing/fracking and we call on the Northern Ireland Assembly and the Irish Government to ban the practice of hydraulic fracturing/fracking North and South of the border."

Having regard to the foregoing, the Council has set out the following policy with regard to hydrocarbon exploration and extraction

Policy (A) It is the policy of the Council to apply the precautionary principle to Unconventional Oil/Gas Exploration and Extraction (UGEE) projects/operations proposed within the county. Given the scientific evidence, and personal testimonies, of the risks of UGEE projects /operations and with the objective of avoiding the risk of serious danger to human health or the environment, it is therefore the policy of Sligo County Council that UGEE projects/operations shall not be permitted within the County of Sligo.

Policy (B) It is the policy of the Council to carefully scrutinise any unconventional oil/gas exploration and extraction project/operation proposal outside the County where it may, due to geographical proximity, have a significant impact on the County and where available evaluation does not allow the risks to the environment of the region, the ecology of the region and human and animal health within the region to be determined with certainty. It is also the policy of this Council in such cases to seek from the relevant authorities a comprehensive full life cycle Health Impact Assessment, together with a full life cycle analysis of all possible cumulative and permanent negative effects for the potential full development.

Policy (C) It is the policy of the Council, in the eventuality that an outside body or bodies takes steps to overrule Policy (A) above, that a comprehensive full life cycle Health Impact Assessment, together with a full life cycle analysis of all possible cumulative and permanent negative effects for the potential full development, will be required for any proposal for oil/gas exploration and extraction projects located inside the County, as a mandatory component of the evaluation of any such proposals.

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Footnotes

1. *'Precautionary Principle':-*
<http://unesdoc.unesco.org/images/0013/001395/139578e.pdf>
2. *Unconventional Gas Exploration and Extraction (UGEE) refers both to the use and full life cycle of hydraulic fracturing (fracking) of low permeability sources such as shale gas deposits, coal seams and tight sandstones. The impacts of UGEE projects/operations to be considered are those arising from UGEE projects/operations in their totality, not just from fracking activities, including all stages of UGEE projects/operations, i.e, drilling, construction, commissioning, operation, decommissioning and aftercare as well as off -site and other developments.*
3. *Including but not limited to the Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (Unconventional Gas and Oil Extraction) Concerned Health Professionals of NY, July 2014*
<http://concernedhealthny.org/wp-content/uploads/2014/07/CHPNY-Fracking-Compendium.pdf> ”.

Ms. D. Clarke advised the Members that this wording could be considered in the review of the County Development Plan. The draft County Development Plan should contain appropriate policies and the wording could be discussed at the next Strategic Policy Committee Meeting and prior to going on public display.

The Chief Executive, Mr. C. Hayes, advised the Members that it is appropriate that insertion of any wording into the Development Plan would go through the S.P.C. in the first instance. Mr. Hayes did not consider it appropriate to insert the wording in the format of the motion.

Councillor Bree noted that they were discussing a draft report, and if an individual or an agency has a difficulty with it, they can make a submission when the draft Plan is published. It was further pointed out by Councillor Bree that Leitrim County Council has this wording in its County Development Plan.

The Chief Executive stated that while there is no great difference between the Executive and the Members in relation to the principle involved, he was advising the Members of the risk in the event of a potential challenge. In this regard, he advised members of a High Court case involving Mayo County Council where the authority had attempted to insert a similar prohibition in its Development Plan. He advised that the format and wording the format it is not appropriate for a Development Plan or policy document. The Chief Executive suggested that as the matter required further analysis, it be deferred to allow the Council to get legal advice.

The Cathaoirleach enquired if it would be appropriate to get further legal advice and bring this matter back to the next meeting. In reply, Mr. Hayes indicated that he felt this would be prudent.

It was then agreed to list this matter on the Agenda for the Ordinary Meeting on 1st February and for legal advice to be sought in the meantime.

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39. ROAD WORKS AT RATHDOONEY BEG:

Proposed by Councillor M. Gormley
Seconded by Councillor E. Scanlon

“That works be carried out on the Sligo Road at Rathdooney Beg where cones are in place in the interest of road safety”.

Mr. T. Kilfeather, Director of Services, reported as follows:

This work is listed on Sligo County Councils work programme and will be carried out as soon as possible.

40. VOTES OF SYMPATHY:

Proposed by Councillor R. O’Grady
Seconded by Councillor S. Kilgannon

AND AGREED

“That a vote of sympathy be extended to Mary Henry, 23 Treacy Avenue, Sligo on the death of her husband, Joseph”.

Proposed by Councillor R. O’Grady
Seconded by Councillor S. Kilgannon

AND AGREED

“That a vote of sympathy be extended to Emily Stallard, 50 Treacy Avenue, Sligo on the death of her husband, Tom”.

Proposed by Councillor R. O’Grady
Seconded by Councillor S. Kilgannon

AND AGREED

“That a vote of sympathy be extended to Michael Robinson, 83 Treacy Avenue, Sligo on the death of his wife, Kathleen.

Proposed by Councillor R. O’Grady
Seconded by Councillor S. Kilgannon

AND AGREED

“That a vote of sympathy be extended to Margaret McKeever, Rathedmond, Sligo on the death of her husband, Michael”.

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**Proposed by Councillor E. Scanlon
Seconded by Councillor P. Taylor**

AND AGREED

“That a vote of sympathy be extended to Peggy Walsh, Keenaghan, Ballymote on the death of her brother, James Hannon”.

**Proposed by Councillor E. Scanlon
Seconded by Councillor P. Taylor**

AND AGREED

“That a vote of sympathy be extended to Peter Walsh, Jnr., Doon, Gurteen, Co. Sligo on the death of his father, Peter Snr.

**Proposed by Councillor M. Gormley
Seconded by Councillor D. Bree**

AND AGREED

“That a vote of sympathy be extended to Ann Henry and family of Carrowmore, Lavagh, Ballymote on the death of her brother, Michael Coleman”.

**Proposed by Councillor M. Gormley
Seconded by Councillor D. Bree**

AND AGREED

“That a vote of sympathy be extended to Attracta and Teresa Nealon, Cuilrecoil, Tourlestrane on the death of their father, Tom.

**Proposed by Councillor M. Gormley
Seconded by Councillor D. Bree**

AND AGREED

“That a vote of sympathy be extended to Leo Conlon, Coolmurla, Geevagh on the death of his sister, Evelyn Higgins.

**Proposed by Councillor S. MacManus
Seconded by Councillor T. Healy**

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AND AGREED

“That a vote of sympathy be extended to Mrs. M. T. Gethins, Jinks’ Avenue, Sligo on the death of her brother, Patrick Fallon.

**Proposed by Councillor D. Mulvey
Seconded by Councillor S. Maguire**

AND AGREED

“That a vote of sympathy be extended to Mary Keogh and family on the death of her husband, Donal.

**Proposed by Councillor D. Mulvey
Seconded by Councillor S. Maguire**

AND AGREED

“That a vote of sympathy be extended to Conor Flanagan, Knockadoo House, Coolaney on the death of his father, Frank.

The Chief Executive, on his own behalf and on behalf of the Staff, wished to be associated with these expressions of sympathy.

41. VOTES OF CONGRATULATIONS:

No matter was raised under this heading.

42. CONFERENCES:

**Proposed by Councillor E. Scanlon
Seconded by Councillor J. Lundy**

AND AGREED

“That the list of Conferences, as circulated with the Agenda, be approved”.

43. SUMMARY OF PROCEEDINGS OF CONFERENCES:

**Proposed by Councillor S. Kilgannon
Seconded by Councillor E. Scanlon**

AND AGREED

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“To note the summary of proceedings of conferences attended in accordance with Section 142(5) (f) of the Local Government Act, 2001”.

44. CORRESPONDENCE:

**Proposed by Councillor M. Gormley
Seconded by Councillor S. MacManus**

AND AGREED

“That, further to his letter 22nd December, 2015, the Council write to Mr. Aaron Forde, Chief Executive of Aurivo requesting that a representative of Aurivo attend a forthcoming Council Meeting in County Hall”.

45. MATTERS ARISING FROM MINUTES:

Councillor D. Bree noted that Members had requested details of funding in relation to Cranmore Regeneration at a previous meeting but had not received them to date.

46. ANY OTHER BUSINESS:

No matter was raised under this heading.

END OF MEETING:

The meeting concluded at 4.50 p.m.