

**Minutes of the Ballinamore Municipal District Meeting held via MS Teams on Wednesday,
16 December 2020 at 11.00 am**

Members Present: Councillor Ita Reynolds Flynn (Cathaoirleach)
Councillor Paddy O'Rourke
Councillor Brendan Barry
Councillor Gerry Dolan
Councillor Caillian Ellis
Councillor Enda McGloin

Officials Present: Vincent Dwyer, Head of Finance, Water, Environment, Climate
Action and Emergency Services
Sinead Flynn, Meetings Administrator Ballinamore Municipal
District
Darragh O'Boyle, Senior Executive Engineer
Mary Reynolds, Clerical Officer, Finance Department

Ms. Sinead Flynn, Meetings Administrator welcomed the members to the meeting. Ms. Flynn outlined that the use of recording equipment is not permitted for the duration of the meeting as per the Standing Orders for the Municipal District meetings.

BMD.141.20 **Adoption of the Minutes of the meeting held on 23rd November, 2020**

Councillor Brendan Barry raised an issue under the approval of the minutes of the meeting of 23rd November 2020 with reference to his Notice of Motion: **BMD/20/245/ - Salt Bins and Gritting at Keshcarrigan.**

Councillor Barry requested that the Minutes of the meeting of 23rd November, 2020 be amended to reference that the members did not approve the Winter Maintenance Plan when it was presented to them at a Council meeting. Councillor Barry stated that the members had only noted the Plan and did not approve it. Councillor Barry also requested that the minutes of the November 2020 Municipal District meeting be amended to include his dissatisfaction that the Council refused to include an additional route of approximately 2.4km/2.6 km from Letterfine to Keshcarrigan Village into the Winter Maintenance Plan. Councillor Barry again sought clarity on the Winter Maintenance Plan having regard to the increased capacity of the lorries to carry additional salt and the Council's refusal to incorporate any additional routes into the Plan.

Mr. Vincent Dwyer advised that he understood Councillor Barry's position on the matter, however, he advised that the matter had been dealt with at the November Ballinamore Municipal District meeting and two Council meetings. He advised that this item is not included on the agenda for today's Municipal District Meeting and therefore will not be

discussed further. Mr. Dwyer agreed that the Meetings Administrator amend the minutes to reference 'Councillor Barry's dissatisfaction that the Council refused to include an additional route of approximately 2.4km/2.6 km from Letterfine to Keshcarrigan Village into the Winter Maintenance Plan'.

Mr. Darragh O'Boyle proposed that Councillor Barry liaise directly with Mr. Terence McGovern, Senior Executive Engineer in relation to his ongoing concerns on the Winter Maintenance Plan.

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

"That the Minutes of Ballinamore Municipal District meeting held on 23rd November, 2020 be adopted with the amendment as detailed under 'Item BMD/20/245 Salt Bins and Gritting at Keshcarrigan'".

BMD.142.20 **To consider the Chief Executive Report and Recommendations pursuant to Section 179 of the Planning & Development Act 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001 (as amended) in respect of the following proposed development.**

The Cathaoirleach, Councillor Ita Reynolds-Flynn introduced the Part 8 Application in respect of the proposed development for the Aghoo Recreational Trail to provide for the construction of a 390m recreational cycle/pedestrian trail from Aghoo Bridge to Lock 4 Aghoo including a new bridge underpass at Aghoo Bridge. **The report as circulated to the members appears as Appendix 1 to the Minutes of this meeting in the Minute Book.**

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

"That the Chief Executive Report and Recommendations on the proposed development for the Aghoo Recreational Trail pursuant to Section 179 of the Planning & Development Act 2000 (as amended) and Part 8 of the Planning & Development Regulations 2001 (as amended) in respect of the proposed development be adopted.

BMD.143.20 **Meeting Correspondence**

1. Letter dated 24th November, 2020 from Waterways Ireland regarding the Jetty at Cleighran More, Ballinaglera, Co. Leitrim.
2. Letter dated 10th December, 2020 from the Office of the Minister for Agriculture, Food and the Marine on the 'Beef Exceptional Aid Measure Scheme'. (BEAM's Scheme).

Ms. Flynn outlined that the letter from the Department of Agriculture was an acknowledgement letter and that a detailed response is awaited on the BEAMS Scheme.

Councillor Paddy O'Rourke advised that there have been some positive indications that the Department of Agriculture, Food and the Marine are reviewing the BEAM's Scheme.

BMD.144.20 Motion from Councillor Enda McGloin: Historic Structures Fund

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

"I call on Leitrim County Council's Heritage Officer to consider an application to revamp and repair Drumshanbo's historic 'High Street' under the recently announced Historic Structures Fund. The primary focus of this fund is conservation and enhancement of historic structures and buildings for the broader benefit of communities and the public to enable larger scale conservation works to be carried out on heritage structures which are deemed to be significant and in need of urgent support. I feel this project adequately fits the criteria under the scheme and is deserving of consideration."

Report by Planning

"Leitrim County Council are presently accepting applications under the Historic Structures Fund as operated by the Department of Housing, Local Government and Heritage. The core aims of this fund are to enable larger scale conservation works to be carried out on heritage structures which are deemed to be significant and in need of urgent support; to encourage the regeneration and reuse of heritage properties and to help to secure the preservation of Protected Structures and/or historic-culturally significant assets; to support the investment of private capital in labour intensive projects to conserve historic structures in public and private ownership for community use; to support employment in the conservation and construction industries; and to build resilience in our heritage properties to enable them to withstand the effects of climate change.

It is not the role of the Heritage Officer to prepare applications for funding under either the Historic Structures Fund or of the parallel Built Heritage Investment Scheme. The Heritage Officer can offer advice on the application process itself, but the Heritage Officer is part of the assessment panel of applications which are then proposed for funding by Leitrim County Council.

Stream 2 of the Historic Structures Fund offers a small number of grants on a nationwide basis from €50,000 up to €200,000 for larger enhancement, refurbishment or reuse projects involving heritage structures. Private applicants, community groups who are the owners or custodians of historic structures and Local Authorities submitting applications for works to historic structures in public ownership can apply under Stream 2 where a clear heritage focus and community or public benefit has been demonstrated. A funding application must be accompanied by a comprehensive Method Statement. Closing date for applications is 29th January 2021."

Councillor McGloin acknowledged the reply to his Notice of Motion. Councillor McGloin proposed that applications for the Historic Structures Fund should be prepared by the Council's Heritage Officer, however, he noted from the reply that the Heritage Officer will form part of the assessment panel to review submissions for the fund. Councillor McGloin

outlined that it will be up to the local community to submit the application for consideration under the fund and that the local community may not have the financial resources available to provide match funding for the project. Councillor McGloin stated that as the Local Authority effectively own the 'High Street', then it should be the Council rather than the Local Community that submit the proposal and provide the match funding required.

Mr. Vincent Dwyer advised that Ms. Sarah Malone, Heritage Officer is available to respond to queries on the Historic Structures Fund application process. Mr. Dwyer noted the members proposal that the project at High Street, Ballinamore, Co. Leitrim be submitted by the Local Authority rather than a Community Group. He advised that the project may be eligible under Stream 2 of the Historic Structures Fund and he agreed to revert to the Planning Department in this regard.

BMD.145.20 Motion from Councillor Enda McGloin: New Layout at Mayflower, Drumshanbo

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

"I ask that the Council's Road Design Office considers a new layout with pedestrian crossings at the Mayflower Roundabout, Drumshanbo. An application to the Department of Transport under School Safety Measures could be considered to connect the school with the nearby basketball courts and to the town to ensure student and pedestrian safety."

Report by Roads - General

"Clar funding is available to communities and schools which allows construction of safety signage and pedestrian crossings to allow safer access to the schools."

Councillor McGloin queried if work could commence on a new road design to have a project ready to submit once a funding stream becomes available.

Mr. O'Boyle advised that he is available to meet with the local school to discuss their requirements and commence the initial design of any proposed works. The application can then be submitted to the Department when an appropriate funding stream becomes available.

Mr. O'Boyle agreed to contact the School Principal to progress the matter.

BMD.146.20 Motion from Councillor Caillian Ellis: Safety Barrier at Keeldra Cross

To consider the following Notice of Motion submitted by Councillor Caillian Ellis;

"I propose that Leitrim County Council put in place a safety barrier each side of Road L1567 at Keeldra Cross, Co. Leitrim."

Report by Roads - General

"Our Road Design Office can place this location on our Low-Cost Safety Applications for 2021. There is currently a number of similar requests. These Low-Cost Safety Applications will be awarded based on the number of recorded incidences at the location."

Councillor Caillian Ellis welcomed the reply to his Notice of Motion. He stated that a safety barrier is urgently required at this location and he also requested that the road surface be upgraded.

Mr. Darragh O'Boyle outlined that the location will be considered for the Low-Cost Safety Applications for 2021 and he also agreed to examine the road surface. He outlined that the roads to be included under the Discretionary Roads Grants for 2021 will be approved by the members in March, 2021.

BMD.147.20 Motion from Councillor Caillian Ellis: The 'Ring Road', Ballinamore

To consider the following Notice of Motion submitted by Councillor Caillian Ellis;

"I will ask Leitrim County Council when they intend to take in charge the Ring Road that goes past Tesco in Ballinamore, Co. Leitrim."

Report by Director of Services for Economic Development, Planning, Environment and Transportation.

"The new Development Company that owns this road has applied to the Council to have this road taken in charge. We are currently assessing whether the road and services therein are suitable to be taken in charge and, should any issues require correcting, the Developer will be required to rectify same before we give any further consideration to this application. In addition, as the Development Company has installed security fencing on the footpath at this location and is taking an electrical power supply from the streetlights to the contractor's compound, it will also be necessary to remedy these matters before the Council considers the road suitable for taking in charge. As a consequence, the time period for whether this road may be considered for taking in charge rests with the Development Company and whether they wish to continue with their application."

Councillor Caillian Ellis acknowledged the reply to his Notice of Motion, he also referenced the ongoing request from the residents of the Glenn Dara Estate, Ballinamore, Co. Leitrim to have the estate taken in charge. Councillor Ellis expressed dis-satisfaction that this private road is in the process of being taken in charge by the Council when little if any progress has been made to have the Glenn Dara Estate, taken in charge. Councillor Ellis also requested clarification as to why this road is gritted by the Council under the Winter Maintenance Plan when the road is not a public road. Councillor Ellis called on the Council to expediate the taking in charge of the Glenn Dara Estate and he expressed his concern that the taking in charge request is progressing very slowly to the frustration of the residents.

Mr. O'Boyle stated that it would be negligent of the Council not to grit this section of road

as it connects two public roads and because of its town-centre location.

Mr. Dwyer advised that the Council must have regard to road safety and road management by including this section of road under the Winter Maintenance Plan. He also advised that a road audit will be carried out by Transport Infrastructure Ireland (TII) and a decision will then be made on the Taking in Charge request. Mr. Dwyer agreed to take the matter up directly with Mr. Bernard Greene, Senior Planner and Mr. Terence McGovern, Senior Executive Engineer, Roads Department and to bring an update to the next meeting of Ballinamore Municipal District in January, 2021.

BMD.148.20 **Motion from Councillor Brendan Barry: Resurface L14871-0**

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

"I request that Leitrim County Council include the resurfacing of L14871-0 in the townlands of Longstone and Mough near Ballinamore in the Road Works Programme for 2021."

Report by Roads

"The L-14871 public road at Longstone has not been assigned a Restoration Grant on the current 3-year Programme. If additional funding becomes available, we will propose this road to be included for any additional grants. The road is not suitable for a Maintenance Grant as it requires structural strengthening and drainage works. The road itself, is currently destroyed with water and material from neighbouring fields."

Councillor Barry acknowledged the reply to his Notice of Motion, and he sought an update on the status of the Roads Work Programme.

Mr. O'Boyle confirmed that the current Roads Work Programme 2019/2021 is on target as per the original targets for delivery. He advised that a new Road Works Programme will be prepared towards the end of 2021 and that the annual Roads Maintenance Programme will be on the agenda of the March Council meeting.

Councillor Barry also requested clarification on the length of road to benefit from a Road Improvement Grant. Mr. O'Boyle confirmed that 1km of the road is upgraded under the grant, however, he advised that if members agree to increase the length of road to benefit from a grant to 2km, then there is a consequential reduction in the total number of roads to benefit from the grant scheme on an annual basis, as the overall level of funding available will remain the same.

BMD.149.20 **Motion from Councillor Brendan Barry: Welcome' Sign, Drumshanbo**

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

"I request that Leitrim County council erect a 'Welcome to Drumshanbo' sign on the R208, Ballinamore road, similar to signs and stonework on other approach roads to the town."

Report by Roads

"We will purchase an erect this sign on the R208 approach. The stone walls along the base of these signs are constructed under Tidy Towns Committee's."

BMD.150.20 Motion from Councillor Paddy O'Rourke: EIR and ESB Roadside Poles

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

"I ask that this Municipal District ask all utility providers e.g. EIR, ESB etc who are currently replacing roadside poles to liaise with our District Engineers Office before placing poles back in the same locations. Many were traffic hazards sited in the middle of setbacks which have been created in front of new houses. With a little imagination and flexibility, we could get this right this time, bearing in mind traffic volumes have greatly increased since the first poles were placed on our rural roads."

Report by Roads

"EIR require a Road Opening Licence (ROL) for any new poles at the side of public roads. They do not require a ROL for replacing damaged or weakened poles. Under the ROL we can and have informed the provider to underground the service, however this higher cost is usually passed on the end user.

ESB do not construct poles on rural roadsides. Under Section 53 of the Electricity (Supply) Act, 1927 the ESB can erect electricity supply poles without a Road Opening License."

A detailed discussion in relation to Councillor O'Rourke's Notice of Motion took place. Mr. Darragh O'Boyle advised that the erection of new poles requires a Road Opening Licence and planning permission whereas the Utility Provider can replace existing poles in their current location.

Councillor O'Rourke stated that when poles are being replaced they could be moved to a better location that would not obstruct exits from dwellings etc. Mr. O'Boyle stated that the issue is complex and that there are many factors that need to be considered. Mr. O'Boyle outlined that it would not be feasible for the service provider to consult with the landowner on every occasion before a pole is moved. Mr. Vincent Dwyer agreed with Mr. O'Boyle and advised that if new dwellings are constructed that the person is aware of the location of the exiting pole prior to the construction of their dwelling.

Councillor O'Rourke stated that this item has been subject to debate in several Local Authority areas and that a regional or national approach should be considered for adoption by all Local Authorities.

BMD.151.20 Motion from Councillor Paddy O'Rourke: Repair to R204 Aghoo East

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

"There is a depression in the road along the R204 in the townland of Aughoo East beside the Drumdiffer Road Junction, which left unaided will become dangerous. I ask that the

Council carry out the necessary repairs."

Report by Roads

"We have been monitoring this area and the regional road is quite narrow at this location. We have applied for a Specific Improvement Grant at this location which, if successful, will allow us to widen the existing carriageway. This will be subject to landowner agreements. We have erected warning signs at this location."

BMD.152.20 Motion from Councillor Ita Reynolds Flynn: Improvements to R202/42 Derrinver

To consider the following Notice of Motion submitted by Councillor Ita Reynolds Flynn;

"I wish to request that the Council improve the road at Derrinver (R202/42) at the Leitrim/Cavan border."

Report by Roads

"This section of Regional road was surveyed last February and has a high-quality index. The R202-42 received a Surface Dressing Grant in 2008. If there is localised damage, we can dispatch our Maintenance Crew. There is a narrow section which is part of Cavan County Council's network."

BMD.153.20 Motion from Councillor Ita Reynolds Flynn: The Junction, Ballinamore

To consider the following Notice of Motion submitted by Councillor Ita Reynolds Flynn;

"Can I request an update on the provision of safety works at the Junction in Ballinamore on the Main Street (opposite Supervalu)."

Report by Roads

"There is no update. All works are finished at this Junction. We had proposed to carry out similar Urban Footpath Works on the Aughnasheelin side of the Junction, however, this was met with 'hue and cry' from the local Business Community. If the Ballinamore Steering Committee wish to proceed with the original plan, then the District Office will programme these works under another Scheme."#

Councillor Ita Reynolds-Flynn acknowledged the reply to her Notice of Motion, however, she stated that there is increased footfall on the bridge at the Junction in recent months. She queried if the bridge could be widened or if a suspended 'walk-way' could be provided similar to the one in Carrick-on-Shannon.

Mr. O'Boyle advised that the widening of the bridge or the provision of a suspended 'walk-way' would be a major capital project and that funding would have to be available to the council to do these works.

Mr. Dwyer agreed to review the matter with the Capital Office.

BMD.154.20 Motion from Councillor Gerry Dolan: High Street, Drumshanbo

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

"I call on Leitrim County Council to have signs erected at both ends of the High Street, Drumshanbo stating 'No through road and for resident and deliveries only.'"

Report by Roads

"We cannot erect such signage without Bye-Laws to back them up. The road is a public road and part of the Regional Road R207."

Councillor Dolan acknowledged the reply to his Notice of Motion, however, he stated that the matter needs to be addressed and if no Byelaws are in place to erect the signage that an alternative solution will have to be provided.

Mr. Vincent Dwyer proposed that a letter issue to the local Superintendent in Carrick-on-Shannon highlighting the issue and requesting that the area is monitored for speed by the Gardai.

All members supported this proposal.

BMD.155.20 Motion from Councillor Gerry Dolan: Resurface of L1512-2/L55151-1 Adoon, Gortvagh

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

"I call on Leitrim County Council to have Road No: L1512-1 leading onto road L55151-0 @ Adoon, Gortvagh, re-surfaced as its being damaged by the extraction of timber from forestry."

Report by Roads

"The District Engineers Office has made contact with the Forestry Companies who have been granted licences for extraction. We have gotten a commitment from them to apply for a Community Involvement Scheme in 2021. However, this will depend on the amount of funding that the government gives Leitrim County Council for the CIS Grant Schemes. We have already commitments for 2021 that will utilise all our 2020 quota for CIS's."

Councillor Dolan welcomed the reply to his Notice of Motion, he stressed that the road is in a very poor condition due to the large amount of timber being extracted at this location.

Mr. O'Boyle advised that if the Council receive a similar allocation of funding for CIS's in

2021, that consideration can be given to progressing this CIS with the local contribution provided by the Forestry Companies.

Councillor Caillian Ellis supported the Notice of Motion and expressed his concern that the forestry routes are becoming problematic as a dumping location for household waste and illegal dumping. Councillor Ellis queried if the Forestry Companies are responsible for cleaning up waste similar to if waste is dumped on a landholding where the landowner is responsible for the clearance of the waste. Mr. O'Boyle confirmed that the same provisions apply to the Forestry Companies as a private landowner if such incidents occur.

BMD.156.20 AOB

- Councillor Ita Reynolds Flynn concluded the meeting by thanking her fellow Elected Members, the staff and the media for their assistance and support throughout 2020. Councillor Reynolds acknowledged that 2020 had been a difficult year for many arising from the Covid 19 Pandemic. She wished everyone a safe and happy Christmas and New Year.
- Ms. Sinead Flynn advised that the next meeting of the Ballinamore Municipal District will take place on Monday 25th January 2021 at 11 a.m.

This concluded the business of the meeting at 12.20 pm.

SIGNED: _____
Councillor Ita Reynolds Flynn
Cathaoirleach
Ballinamore Municipal District

SIGNED: _____
Sinead Flynn
Meetings Administrator
Ballinamore Municipal District

Date: Monday, 25 January 2021