

**Minutes of the Ballinamore Municipal District Meeting held in the via MS Teams on
Monday, 25 January 2021 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: Anna Moran, Clerical Officer, Finance Department
Vincent Dwyer, Head of Finance, Finance, Water, Environment,
Climate Action and Emergency Services
Sinead Flynn, Meetings Administrator Ballinamore Municipal
District
Darragh O'Boyle, Senior Executive Engineer

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.1.21 **Approval of Minutes**

Proposed by Councillor Caillian Ellis, seconded by Councillor Enda McGloin AND UNANIMOUSLY RESOLVED:

“That the Minutes of Ballinamore Municipal District meeting held on 16th December, 2020 be adopted.”

Matters arising from the Minutes:

- Mr. Vincent Dwyer informed the members that the Developer has applied to the Council to have the road leading onto the Tesco Roundabout in Ballinamore taken in charge.

This update was welcomed by the members.

- Councillor Paddy O'Rourke referred to his Notice of Motion on ESB Poles at the December MD meeting. He advised that a national Group has been established to review the location of telephone/esb poles and that all Local Authorities will have an opportunity to participate in the consultation process.

BMD.2.21 **Meeting Correspondence**

1. Email from Deputy Frank Feighan with a letter from the Department of Agriculture, Food & the Marine on 'Ashdieback'.

- The members noted this item of Meetings Correspondence.
- Councillor Brendan Barry expressed disappointment that the Minister had responded to Deputy Feighan and had not issued a response to the members of Ballinamore Municipal District.

It was agreed to send a further letter to the Minister to reduce the potential financial cost to the affected landowners.

2. Letter from the Department of Housing, Local Government & Heritage on Community Wastewater Connections (Group Water Schemes).

Mr. Vincent Dwyer advised that he will respond directly to the Department regarding the contents of this letter. He also advised that a National Group has been established to review this matter in a national context.

Councillor Enda McGloin welcomed Mr. Dwyer's comments.

- Councillor Caillian Ellis requested that a reminder letter issue to the Department seeking a Land Drainage Scheme for the West of Ireland in response to a previous Notice of Motion. Ms. Sinead Flynn, Meetings Administrator agreed to send a further letter in this regard.

BMD.3.21 Motion from Councillor Caillian Ellis:

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

"I propose that Leitrim County Council extends the public lighting on the R199 at the top of Lahard, Ballinamore, Co. Leitrim."

Report by Roads

"There is no funding in the Roadworks Programme for additional public lighting, however, the District Office has applied for an Active Travel Grant to allow the installation of public lights along the Aghadark and Lahard regional roads."

Councillor Caillian Ellis acknowledged the reply to his Notice of Motion, however, he stated that a commitment was give early last year to provide the public lighting at this location. Councillor Ellis also referred to a previous commitment given to the former Councillor Gordan Hughes on this matter.

Mr. Darragh O'Boyle agreed to review the matter and to revert to Councillor Ellis with an update.

Councillor Brendan Barry and Councillor Ita Reynolds-Flynn supported the Notice of Motion.

BMD.4.21 Motion from Councillor Caillian Ellis:

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

"I call on Leitrim County Council, when preparing the Winter Maintenance Plan for the future, to include the Drumshanbo to Ballinamore Road via Aughacashel and Aughnasheelin."

Report by Roads

"If extra resources are made available for future plans, additional routes can be considered. However, it should be noted that in such a case, the treatment of additional Regional roads would be a priority."

Councillor Gerry Dolan stated that several front-line workers live in this locality and that if the Council were to include this route in the Winter Maintenance Plan, that, it would assist in enabling such workers safe access to their places of employment.

Councillor Enda McGloin and Councillor Brendan Barry supported this Notice of Motion.

Councillor Barry re-iterated that the Council would appear to have additional capacity to grit additional routes in the county under the Winter Maintenance Plan. He stated that the Council submit a detailed plan to Transport Infrastructure Ireland (TII) on an annual basis that forms the basis of the funding allocated under the Winter Maintenance Plan. Councillor Barry outlined that the Winter Maintenance Plan presented to the members at the Council meeting is for noting only and that he has sought more detailed information on the Plan to be provided. Councillor Barry stated that his request has not been facilitated and he also referred to the publication of detailed reports on the Winter Maintenance Plan published on the websites of other Local Authorities.

Mr. Vincent Dwyer advised that the Winter Maintenance Plan had been discussed at length at two Council meetings and that Councillor Dolan's Notice of Motion has been answered and does not require an additional debate. He also advised that the members will have an opportunity to discuss the plan when it is again presented to the Members in 2021.

Councillor Enda McGloin noted Mr. Dwyer's comments and proposed that the members be facilitated with a consultation process in the preparation of the next Winter Maintenance Plan.

Mr. Dwyer advised that the preparation of the Winter Maintenance Plan is an Executive function. Mr. Dwyer referred to Councillor Barry's research into the plan, however, he stated that there are several factors that must be taken into consideration in the preparation of the Plan as outlined by Mr. Joseph Gilhooly, Director of Services at a recent Council meeting when the item was discussed in detail.

Mr. Darragh O'Boyle advised that the Council also have a duty of care to staff operating

the Winter Maintenance Plan and due regard must be given to complying with the Working Time Regulations Act to ensure that staff have adequate rest time between gritting times etc.

Ms. Sinead Flynn, Meetings Administrator referred the members of the Standing Orders governing the Ballinamore Municipal District Meetings. She cautioned that the meeting is not being conducted in accordance with the agenda circulated for the meeting. Ms. Flynn advised that multiple non-related items are being raised when the Notices of Motion are being discussed which is not in keeping with the Standing Orders. She advised that the members must adhere to the order of debate as per the Notice of Motions included on the agenda only. Ms. Flynn advised that she will circulate a copy of the Standing Orders to the members and requested that the remainder of the meeting be conducted in accordance with the Standing Orders.

BMD.5.21 Motion from Councillor Enda McGloin:

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

"Can I ask Leitrim County Council to consider re-surfacing the Dowra Road, Drumshanbo R-207 from the section from Corlough to Derrintober townlands."

Report by Roads

"The R207, regional road from Drumshanbo to Dowra, has a Restoration Improvement Grant in 2021 as part of the 3-year plan. This will allow us to carry out new road construction at this location for 1km in the townland of Corlough. We hope to commence these works in summer 2021 subject to Government restrictions."

Councillor Enda McGloin welcomed the reply to his Notice of Motion. Councillor McGloin queried if Road Crews are currently working in the adjoining Local Authorities of Longford and Sligo with the Level 5 Restrictions in place.

Mr. Vincent Dwyer advised that he is not aware of the arrangements in place with staff impacted by the current Level 5 restrictions in the neighbouring Local Authorities. He agreed to review the position with the LGMA and the CCMA.

BMD.6.21 Motion from Councillor Enda McGloin:

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

"I ask Leitrim County Council to provide two streetlights adjacent to the Carraig na Breac Estate from outside Drumshanbo Vocational School to the end of Furness Hill on the Mahanagh side. A large number of walkers use this area and a lack of lighting is dangerous."

Report by Roads

"There is no funding provision in the Roadworks Programme for additional public lighting. There are no roadside ESB poles on this public road and therefore a new footpath with lighting would be required along the L-33784. This can be considered for future funding under the Active Travel Schemes."

Councillor Enda McGloin outlined that the area is popular with walkers and that if funding becomes available under an Active Travel Scheme that the location would be enhanced from the provision of public lighting.

Councillor Gerry Dolan and Councillor Brendan Barry supported the Notice of Motion.

Councillor Paddy O'Rourke supported the Notice of Motion. He also expressed his concern that works required to the Cloone River committed to by the Council in November, 2020 cannot now proceed due to the current Level 5 restrictions in place.

Mr. Vincent Dwyer provided an update to the members in relation to the Government Policy with regard what are classified as 'essential works'. Mr. Dwyer referred to the broad implications of the Level 5 restrictions across society including the closure of all primary and second level schools having regard to the current incidents of the disease in the country. He advised that the Council are obliged to comply with Government Policy and that drainage works could not be classified as essential works.

Councillor O'Rourke welcomed the clarification provided by Mr. Dwyer.

Councillor Brendan Barry again outlined that he considered the maintenance of potholes as essential works. Councillor Barry stated that some construction works are permitted to continue under the current restrictions. He further stated that it is unfair to compare a school and school staff to staff working in the Patching Unit and that there must be a safe way for outdoor Roads Staff to return to work given that the restrictions may be in place for a further two months.

Mr. Darragh O'Boyle again referred to the restrictions in place due to COVID-19 and that the Council cannot breach the restrictions. He advised that he will arrange to have the pothole on the regional road examined.

Mr. Vincent Dwyer concluded the discussion on essential works by providing an over-view of what works continue to be carried out by the Council under Level 5 Restrictions. Mr. Dwyer reiterated that the Council must comply with Government policy for the safety of staff and the broader public.

Councillor Enda McGloin sought clarification on the number of employees that are currently working in the Local Authority with the Level 5 restrictions in place.

Mr. Dwyer advised that the information is easier to quantify by functional area rather than estimating the number of staff involved. Mr. Dwyer provided an overview of the services areas that are deemed essential and currently operational under the current restrictions.

BMD.7.21 Motion from Councillor Gerry Dolan:

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

"I call on Leitrim County Council, when preparing the Winter Maintenance Plan for the future, to include the Drumshanbo to Ballinamore Road via Aughacashel and Aughnasheelin."

Report by Roads

"If extra resources are made available for future plans, additional routes can be considered. However, it should be noted that in such a case, the treatment of additional Regional roads would be a priority."

Councillor Gerry Dolan stated that several front-line workers live in this locality and that if the Council were to include this route in the Winter Maintenance Plan, that, it would assist in enabling such workers safe access to their places of employment.

Councillor Enda McGloin and Councillor Brendan Barry supported this Notice of Motion.

Councillor Barry re-iterated that the Council would appear to have additional capacity to grit additional routes in the county under the Winter Maintenance Plan. He stated that the Council submit a detailed plan to Transport Infrastructure Ireland (TII) on an annual basis that forms the basis of the funding allocated under the Winter Maintenance Plan. Councillor Barry outlined that the Winter Maintenance Plan presented to the members at the Council meeting is for noting only and that he has sought more detailed information on the Plan to be provided. Councillor Barry stated that his request has not been facilitated and he also referred to the publication of detailed reports on the Winter Maintenance Plan published on the websites of other Local Authorities.

Mr. Vincent Dwyer advised that the Winter Maintenance Plan had been discussed at length at two Council meetings and that Councillor Dolan's Notice of Motion has been answered and does not require an additional debate. He also advised that the members will have an opportunity to discuss the plan when it is again presented to the Members in 2021.

Councillor Enda McGloin noted Mr. Dwyer's comments and proposed that the members be facilitated with a consultation process in the preparation of the next Winter Maintenance Plan.

Mr. Dwyer advised that the preparation of the Winter Maintenance Plan is an Executive function. Mr. Dwyer referred to Councillor Barry's research into the plan, however, he stated that there are several factors that must be taken into consideration in the preparation of the Plan as outlined by Mr. Joseph Gilhooly, Director of Services at a recent Council meeting when the item was discussed in detail.

Mr. Darragh O'Boyle advised that the Council also have a duty of care to staff operating

the Winter Maintenance Plan and due regard must be given to complying with the Working Time Regulations Act to ensure that staff have adequate rest time between gritting times etc.

Ms. Sinead Flynn, Meetings Administrator referred the members of the Standing Orders governing the Ballinamore Municipal District Meetings. She cautioned that the meeting is not being conducted in accordance with the agenda circulated for the meeting. Ms. Flynn advised that multiple non-related items are being raised when the Notices of Motion are being discussed which is not in keeping with the Standing Orders. She advised that the members must adhere to the order of debate as per the Notice of Motions included on the agenda only. Ms. Flynn advised that she will circulate a copy of the Standing Orders to the members and requested that the remainder of the meeting be conducted in accordance with the Standing Orders.

BMD.8.21 **Motion from Councillor Gerry Dolan:**

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

I call on Leitrim County Council to erect a safety barrier at the bridge after North West Tool Hire (Kilclare, Co. Leitrim) on the Drumcong side of the bridge. The safety barrier is required on the left-hand side as you approach the bridge from Drumcong.

Report by Roads

The Scrabbagh Canal Bridge beside Lock 11 has a safety barrier containment system on all approaches to the bridge. The existing hedging may have covered up the barrier, but it remains in place."

Mr. Darragh O'Boyle advised that the barriers are up on both sides of the bridge and he agreed to review again to ensure that both barriers remain in situ as their view maybe obstructed on one side with the hedging that is in place.

BMD.9.21 **Motion from Councillor Paddy O'Rourke**

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

I ask that Leitrim County Council erect crash barriers along the R204 between Ballinamore and Carrigallen in the townland of Aghoo overlooking the canal to protect motorists from the safety hazard that the canal poses to motorists.

Report by Roads

Waterways Ireland are currently carrying out a continuation of the Blueway from Aghoo Bridge to Lock 4 on the canal system. They will carry out a safety audit during the works. If the Waterways Ireland Safety Audit highlights the need for a containment system, they will install under this scheme.

Councillor Paddy O'Rourke advised that Waterways Ireland are extending a walkway on the canal. He requested that consideration be given to the provision of a barrier as a safety measure when the extension to the walkway is being constructed.

Councillor Caillian Ellis and Councillor Brendan Barry supported the Notice of Motion.

Mr. Darragh O'Boyle outlined that a design safety audit is carried out as part of the design process, however a further audit will also be carried out on completion of the works. Mr. O'Boyle agreed to review the matter with Waterways Ireland and suggested that the provision of a steel barrier may take from the overall aesthetics of the walkway. He advised that a timber clad fence may be a more appropriate solution in keeping with the visual amenity of the area should the Safety Audit recommend that a barrier be provided

BMD.10.21 **Motion from Councillor Paddy O'Rourke**

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

I ask that Leitrim County Council carry out the necessary repairs to Road Number: L1339-0 in the townland of Unshinagh, Aughnasheelin as it is in need of repair.

Report by Roads

The 3-year Roads Programme has assigned a Restoration Grant to this road. We will assess this road when normal working arrangements return and identify the area along this road in most need of repair.

Mr. Darragh O'Boyle confirmed that this road is included in the 2021 Road Works Programme. He clarified that the works would upgrade a 1km stretch of the road and that if the full road is to be upgraded in 2021, that another road would have to be taken out of the programme.

BMD.11.21 **Motion from Councillor Brendan Barry:**

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

I request that Leitrim County Council apply for funding to repair, replace, and extend the footpaths in and around Keshcarrigan Village. A footpath to the Fr. Michael Judge Memorial Garden would be very beneficial to the area.

Report by Roads

We can include this proposal in any future Active Travel Scheme submissions. However, the local road from the Village towards the Memorial Garden does not have the width to allow footpath construction and will require land agreements from adjoining properties.

Councillor Brendan Barry advised that a path to the Memorial Garden would encourage people to come off the boats and come into the village. Councillor Barry stated the footpaths in Keshcarrigan Village require maintenance and he referred to a recent incident involving a member of the public on a footpath in Keshcarrigan.

Mr. Darragh O'Boyle advised that the road leading out to the Fr. Judge Memorial Garden is too narrow to construct a footpath and if the footpath is to proceed, agreements with the individual landowners will be required. Mr. Doyle also advised that the Council requested the landowner to trim back the foliage on their private property adjacent to the

footpath where the alleged incident is said to have occurred. He also advised that the Council will arrange for the cleaning of the footpath when Government restrictions permit.

Councillor Caillian Ellis supported the Notice of Motion, however, he expressed his concern that there may be difficulty in negotiating an agreement with the landowners concerned.

Councillor Enda McGloin supported the Notice of Motion and he stated that the works would enhance the commercial prospects for Keshcarrigan.

Councillor Brendan Barry agreed to meet with Mr. Darragh O'Boyle on site to review the households that will be impacted with a view to commencing discussions with the affected landowners.

BMD.12.21 Motion from Councillor Brendan Barry:

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

To ask Leitrim County Council what is the current strategy to deal with dog fouling and what outputs did that strategy achieve in 2020 e.g., number of fines issued, bins provided, awareness campaigns?

Two examples of groups of people whose health is put at risk that should be highlighted to dog owners in the hope they will take more responsibility, are Wheelchair users (children, teenagers and adults) and young children where buggies are been used and brought into the home. Much more needs to be done.

Report by Head of Finance, Water, Environment, Climate Action & Emergency Services,

The current strategy is to deploy dog waste bins, bag dispensers and signage on walkways and paths where this is feasible. In addition, the Council engages in promotion of Responsible Dog Ownership in schools and community groups. The Council undertakes leaflet distribution and media coverage on radio and newspaper. It is intended to engage in more intensive promotion of Responsible Dog Ownership including Picking up After your Dog campaigns in 2021.

Fines issued for Dog Fouling 2020:	0
Total number of dog waste bins in County Leitrim:	10
Number of new bins erected 2020;	2
No of signs erected 2020	9
No of dog waste bags distributed to public	2800.

Awareness Campaigns 2020:	
No of School Visits	2
No of Community Groups visited	1
No of Radio Interviews	4
No of Leaflets distributed	1020

Councillor Brendan Barry acknowledged the reply to his Notice of Motion, and, referenced the difficulty experienced by the Community Wardens in issuing fines for dog fouling offences as the incidents need to be witnessed. Councillor Barry welcomed the proactive initiatives of the Council in addressing the issue. He called upon all dog owners to take responsibility for their dogs when in public areas. Councillor Barry outlined that it is especially difficult for wheelchair users and parents with buggies to navigate paths/walkways where dog-fouling has occurred.

Mr. Vincent Dwyer agreed with Councillor Barry having regard to the difficulty in issuing fines for dog-fouling for the reasons outlined. He stated that the Environment Department seek to promote awareness and responsibility amongst dog-owners to assist in tackling the issue.

Councillor Enda McGloin supported the Notice of Motion.

Councillor Paddy O'Rourke queried where additional signage, bins and bags could be obtained for other areas in the county.

Mr. Dwyer confirmed that enquires in this regard should be referred to Mr. James Madden, Veterinary Inspector, Environment Department.

BMD.13.21 **A.O.B**

A.O.B.

Vote of Sympathy.

- Councillor Paddy O'Rourke proposed a Vote of Sympathy to Deputy Martin Kenny on the recent passing of his father Vincent Kenny, (R.I.P). Councillor Brendan Barry seconded the Vote of Sympathy and extended his sympathy to his wife Gertie, sons, Martin, Vinny, Tony & Peadar and daughter Roisín.

Date and time of Next Meeting

- Ms. Sinead Flynn advised that the next meeting of the Ballinamore Municipal District will take place on Monday 22nd February, 2021 at 11.00 a.m. remotely while the current Level 5 Restrictions remain in place.

This concluded the business of the meeting at Time Not Specified.

SIGNED: _____
Councillor Ita Reynolds Flynn
Cathaoirleach
Ballinamore Municipal District

SIGNED: _____
Sinead Flynn
Meetings Administrator
Ballinamore Municipal District

Date: Monday, 22 February 2021