

Minutes of Leitrim County Council meeting held Via MS Teams on Monday, 12 July 2021

Members Present: Councillor Paddy Farrell
Councillor Finola Armstrong McGuire
Councillor Enda McGloin
Councillor Sean McGowan
Councillor Brendan Barry
Councillor Frank Dolan
Councillor Gerry Dolan
Councillor Caillian Ellis
Councillor Pádraig Fallon
Councillor Des Guckian
Councillor Sean McDermott
Councillor Thomas Mulligan
Councillor Ita Reynolds Flynn
Councillor Enda Stenson
Councillor Justin Warnock

Councillor Paddy O'Rourke (Cathaoirleach) presiding

Apologies: Councillor Mary Bohan
Councillor Felim Gurn

Officials Present: Lar Power, Chief Executive
Joseph Gilhooly, Director of Services, Economic Development, Planning and Infrastructural Services
Vincent Dwyer, Head of Finance, Finance, Water, Environment, Climate Action and Emergency Services
Mary Quinn, Director of Services, Housing, Corporate Services, Community and Cultural Services
Samantha Healy, Senior Executive Officer Corporate Services and Housing
Kieran Brett, Meetings Administrator
Kathleen Ellis, Assistant Staff Officer
Shay O'Connor, Senior Engineer
Terry McGovern, Senior Engineer
Bernard Greene, Senior Planner
Francis Gaffney, A/Senior Engineer
Gillian Tilson, Financial Management Accountant

Cathaoirleach, Councillor Paddy O'Rourke conveyed apologies on behalf of Councillor Mary Bohan who was unable to attend due to a conflicting appointment.

MM.98.21 Adoption of Minutes

MM.98.21a Minutes of 4th May 2021 Council Meeting

Councillor Des Guckian referred to the minutes of 1st March 2021 and expressed the view that those minutes were not accurate in relation to his motion on the Land Development Agency Bill and he was misrepresented. He stated that the minutes did not reflect the discussion that took place around his motion. Councillor Guckian asked that the minutes be corrected, and published with an apology to Councillor Des Guckian.

Councillor Des Guckian asked Councillor Sean McGowan to confirm if Cllr McGowan's motion was taken after his motion and if Cllr McGowan has seconded his motion.

Councillor Sean McGowan said he recalled that his motion was taken immediately afterwards Cllr Guckian and that he seconded the motion.

Cathaoirleach, Councillor Paddy O'Rourke outlined that at the May meeting, Cllr Guckian had outlined his dissatisfaction with the presentation of the minutes and was given the opportunity to amend the draft minutes of the 1st March 2021 but did not put forward an amendment. The Cathaoirleach stated Cllr Guckian is aware of procedures available to make a change to a resolution, but it cannot be dealt with at this meeting.

Councillor Des Guckian said the minutes should be accurate and balanced and the onus is on the Meetings Administrator to ensure this or otherwise this is an attack on him and his credibility.

Mr Kieran Brett, Meetings Administrator outlined that the draft minutes of the 1st March 2021 Council meeting were circulated to the members in advance of the 4th May 2021 Council meeting. These minutes were in draft form only and at the meeting were proposed and seconded with no amendments proposed by any member and thereby the minutes were adopted by resolution. Had an amendment been sought to the draft minutes at the meeting on May 4th, this would have been done and the amended minutes would have been adopted by resolution. Mr Brett said he, or any members of the executive, cannot amend any resolution that has been adopted by the elected members of the Council.

Councillor Padraig Fallon suggested at some stage at the end of August early September the Executive could refresh the Members how the minutes are recorded, and procedures involved.

Councillor Des Guckian referred to his request that meetings be recorded.

Ms Mary Quinn, Director of Services outlined that minutes are not a verbatim record of what was said at a meeting but a summary, recording decisions taken and then implemented accordingly. She stated there was no malice or otherwise intended on the part of anyone in terms of how Cllr Guckian's motion was recorded.

She further outlined that the standing orders set out the procedure on how a motion to

revoke or amend a resolution of the Council can be made, with the support of a certain number of members.

Councillor Brendan Barry said he supported Councillor Des Guckian's view that meetings should be recorded. He said if a member is unhappy with an item in the draft minutes, the member should circulate a proposed amendment to all other members in advance of the meeting.

Cathaoirleach, Councillor Paddy O'Rourke again outlined that Cllr Guckian had not put forward an amendment at the May meeting and the minutes adopted at that meeting now form part of the record. There are procedures available to Cllr Guckian and he proposed to move on with the meeting.

Cllr Guckian did not accept the comments and again highlighted the responsibilities on the officials in terms of recording of minutes.

Mr Lar Power, Chief Executive stated he had an issue with the aspersions being cast on Council staff by Cllr Des Guckian. He stated that Ms Quinn and Mr Brett have outlined the provisions relating to the minutes and are one hundred per cent correct.

Councillor Des Guckian said this was an attack on him and he would go on his own way in regard to the matter.

On the **PROPOSAL** of Cllr. Enda Stenson
SECONDED by Cllr. Caillian Ellis

It was **AGREED** to adopt the minutes of 4th May 2021.

MM.98.21b Minutes of 25th June 2021 Annual Meeting

On the **PROPOSAL** of Cllr. Des Guckian
SECONDED by Cllr. Sean McDermott

It was **AGREED** to adopt the minutes of Annual Meeting 25th June 2021

MM.99.21 Disposals under Section 183(1) of the Local Government Act

MM.99.21a Consider for disposal Plot of land at Keeneghan Townlands, Carrick on Shannon

On the **PROPOSAL** of Cllr. Enda Stenson
SECONDED by Cllr Paddy Farrell

It was **AGREED** that Leitrim County Council consent to the disposal of plot of land pursuant to the provisions of Article 206 of the Planning & Development Regulations 2001, Section 211 of the Planning & Development Act 2000 (as amended) and Section 183 of the Local Government Act, 2001. Particulars of the property to which County Council proposes to

dispose:

The Property: Disposal of Plot of land circa 0.228 Acres in the Townland of Keenaghan, Carrick-on-Shannon, Co. Leitrim

Area of 0.228 acres will be transferred from Leitrim County Council to Michel Reynolds & Sons Trustee Ltd

Area of 0.217 acres will be transferred from Michael Reynolds & Sons Ltd to Leitrim County Council.

The Person(s) to whom the property is to be disposed of: Michael Reynolds & Sons Trustee Ltd

The Consideration proposed in respect of the disposal:

Transfer of Plots simultaneously and with no consideration to both parties

Councillor Des Guckian sought clarification of this disposal.

Mr Joseph Gilhooly outlined this is a land swap and is necessary as Leitrim County Council have been granted funding under the NTA Active Travel which will allow construction of a footpath/cycle track along the L-7415, which will facilitate safer pedestrian movements for residents and sport facility users along this local road. The land required for this project is owned by Michael Reynolds & Sons Ltd. The disposal of the plot of land is dependent on and linked to the transfer of land identified in Plots A & B by Michael Reynolds & Sons to Leitrim County Council.

Mr Joseph Gilhooly advised the members that the disposal of land is a reserved function but the purchase of land is an executive function.

MM.100.21 To consider the setting of the Local Adjustment Factor for the Local Property Tax for 2022

The Chief Executive's Report on the setting of the Local Adjustment Factor for Local Property Tax Rates for 2022 was circulated to the members.

On the **PROPOSAL** of Cllr. Caillian Ellis
SECONDED by Cllr. Enda McGloin

It was **AGREED** to continue application of the 15% local adjustment factor for local property tax (LPT) in 2022 in respect of relevant residential properties situated in County Leitrim.

MM.101.21 Approve appointment of Leitrim PPN nominees to SPC & LCDC committees

Report dated 9th July 2021 from Ms Johanna Daly, LCDC Chief Officer read as follows:

In April 2021, the Chief Officer submitted a report to the CPG, detailing the current membership of the LCDC (set out below). This report stated that following elections by the PPN to fill two PPN representative vacancies on the LCDC Committee, the following people had been appointed to the committee:

Seamus Regan, representing PPN Community
 Lola Gonzalez, representing PPN Social Inclusion Elections

Subsequently the PPN Secretariat notified the Chief Officer that at a plenary of the PPN held on the 9th of June both nominees had been formally ratified at that meeting.

Under the Local Government Act 2014, Any new members appointed must be approved by the local authority (Section 128C(3)(b)).

These two new members now need to be formally approved by the Local Authority in addition to Pdraig De Buitlear who is temporarily replacing Ms Michelle Kennedy (DESP).

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	Name	Organisation
1	Gerard McPartlan	Business Pillar
2	James Gallagher	Farming Pillar
3	Majella McGovern	Family Resource Centres/CDPs
4	Donal Fox	Leitrim Development Company
5	Helen Doherty Harte	PPN - Community
6	Seamus Regan	PPN – Community
7	Aedin McLoughlin	PPN -Environmental Pillar
8	Margaret Hyland	PPN - Social Inclusion
9	Lola Gonzalez	PPN - Social Inclusion
10	Lar Power	Leitrim County Council
11	Cllr Felim Gurn	Leitrim County Council
12	Cllr Paddy Farrell	Leitrim County Council
13	Cllr Thomas Mulligan	Leitrim County Council
14	James Keane	Teagasc
15	Joe Lowe	LEO
16	Pdraig De Buitlear	Dept of Employment & Social Protection (temporary replacement for Michelle Kennedy)
17	Patricia Garland	HSE

On the **PROPOSAL** of Cllr. Sean McGowan
SECONDED by Cllr. Sean McDermott

It was **AGREED** to approve the membership of the LCDC and appointment of Leitrim PPN Nominees to the LCDC and SPC Committees.

MM.102.21 National and Local Service Indicators 2020

The National and Local Performance Indicators, 2020 report was circulated to the Members.

The report was noted by the Members.

MM.103.21 Management Reports - April & May 2021

The Management Reports for April 2021 and May 2021 were circulated to Members in accordance with Section 136 (2) of the Local Government Act, 2001 as inserted by Section 51 of the Local Government Reform Act, 2014.

Councillor Des Guckian sought clarification on the following:

- When Mohill Watermain pipes are being relayed, can the sewerage system also be looked at?
- Can Carrick Wastewater Treatment Plant be expanded to take sludge from septic tanks from South Leitrim?

Mr Francis Gaffney, A/Senior Engineer said a recommendation will be made to Irish Water that existing infrastructure is examined at the time the public realm works are being carried out in Mohill. Carrick-on-Shannon Wastewater Treatment plant is a facility of Irish Water, and it does not have the capacity for septic sludge. Significant investment would be needed by Irish Water in the Carrick WWTP to facilitate the intake of this material. Desludging of private septic tanks is a matter for private contractors.

Councillor Des Guckian thanked Mr Gaffney for his reply in this regard and proposed that Irish Water be contacted about making this investment in the Carrick plant.

Councillor Barry queried if discharge from some septic tanks could be received at Wastewater Plants as the sludge has undergone some treatment.

Councillor Brendan Barry said funding should be sought to enable storm water from a number of housing estates to be routed to the public drainage system.

The monthly management reports were noted by Members.

MM.104.21 Report from Corporate Policy Group

Ms Mary Quinn, Director of Services, Housing, Corporate Services, Community and Cultural Services outlined that the Corporate Policy Group had considered the following items at their meeting on the 5th July 2021.

- Update from Planning, Economic Development & Infrastructure Strategic Policy Committee

The above SPC considered the Hedge Cutting Scheme and in order to make the scheme more beneficial it proposed a reduction in the distance of the roadside hedgerow from 2km distance to a minimum requirement of 1Km.

Councillor Pdraig Fallon welcomed the proposal and said this was very practical and asked what date this this would come into effect.

Mr Joseph Gilhooly said this would come into effect when the hedge cutting season commences in autumn 2021.

- Arrangements for Council and Municipal District Meetings
- Items for Council Meeting 12th July 2021

This update was noted by Members.

MM.105.21 Attendance at conferences/training

It was noted that all training is taking place online and all notifications of training is being circulated to members.

MM.106.21 Meeting Correspondence

1. Resolution dated 30th April 2021 from Dun Laoighaire-Rathdown County Council to the Minister for Health in regard to epilepsy.
2. Resolution dated 30th April 2021 from Dun Laoighaire-Rathdown County Council to the Oireachtas Committee in regard to epilepsy.
3. Email dated 4th May 2021 from the Office of the Minister for Health in regard to Medical Cards.
4. Email dated 4th May 2021 from Holly Rhian Wilkinson in regard to raising awareness in improving animal rights/welfare of dogs in the United Kingdom and Ireland.

5. Resolution dated 7th May 2021 from Fermanagh and Omagh District Council in regard to the protection of Native honeybees.

Councillor Justin Warnock said it is important that an all-Island approach be given in this regard.

6. Resolution dated 13th May 2021 from the Dun Laoighaire-Rathdown County Council calling for immediate termination of the current Planning and Development (Strategic Housing Developments) Regulations 2017.
7. Newsletter dated 15th May 2021 from the County Leitrim Society of New York.
8. Email received 21st May 2021 from Minister Heather Humphrey acknowledging receipt of Resolution passed by Leitrim County Council regarding funding for Community Groups re Bank Buildings.
9. Email received 24th May 2021 from Minister for Foreign Affairs and Minister for Defence acknowledging receipt of Resolution passed by Leitrim County Council regarding ban on fracking.
10. Resolution from Meath County Council dated 20th May 2021 calling for the amendment to Circular LG 4/2019 to recognise where a member loses an immediate relative should NOT in that instance be subjected to a financial penalty under the 80% attendance of meetings rule.
11. Resolution dated 17th May 2021 from Limerick City and County Council in regard to one off Rural Housing.
12. Letter dated 24th May 2021 from the Office of the Minister for Housing, Local Government and Heritage in regard to Resolution passed by Leitrim County Council in relation to the Tenant (Incremental) Purchase Scheme 2016.

Councillor Pádraig Fallon proposed that a further letter issue to the Minister in this regard.

Cllr Fallon expressed his concern that there was no mention of those persons aged over 70 years of age and questioned if they are excluded from the scheme and he asked that this be examined.

Councillor Justin Warnock sought more clarity on the scheme and asked if a family member's income can be taken into account.

13. Resolution dated 1st June 2021 from Sligo County Council in regard to Bereavement Leave.

All Members supported this motion.

14. Resolution dated 1st June 2021 from Sligo County Council in regard to stalking.

Councillor Justin Warnock and Councillor Fallon supported this.

15. Email dated 3rd June 2021 from the Office of the Minister for Public Expenditure and Reform regarding Resolution from Leitrim County Council in relation to a Decentralisation programme.

16. Letter dated 2nd June 2021 from the Office of the Minister for Tourism, Arts, Gaeltacht, Sport and Media in regard to support to local newspapers.

17. Email received 4th June 2021 from the Office of the Minister for Rural and Community in regard to Resolution passed by Leitrim County Council regarding the establishment of an Annual Fund for necessary capital works projects at cemeteries to specifically address the deterioration of pavements, boundary walls, etc.

18. Acknowledgement dated 3rd June 2021 from the Office of the Taoiseach in regard to Resolution passed by Leitrim County Council regarding a ban on fracking.

19. Acknowledgement dated 3rd June 2021 from the Office of An Taoiseach in regard to Resolution passed by Leitrim County Council in regard to Home Improvement Grants.

20. Letter dated 3rd June 2021 from the Office of the Minister for Housing, Local Government and Heritage in regard to income eligibility criteria for older people and people with disability scheme in respect of private houses.

21. Resolution dated 8th June 2021 from Carrickmacross-Castleblaney Municipal District in regard to measures to support people who are cared for in their homes.

22. Acknowledgement dated 8th June 2021 from the Office of An Taoiseach.

23. Letter dated 15th June 2021 from the Office of the Minister for Agriculture, Food and Marine regarding Resolution passed by Leitrim County Council in regard to REAP.

24. Resolution dated 15th June 2021 from Mayo County Council regarding the Carer's Allowance Scheme and the Carer's Benefit Scheme.

25. Resolution dated 14th June 2021 from Fermanagh and Omagh District Council in regard to implementation of BDS support in relation to PSNI/An Garda Síochána partnerships with Israeli security forces and companies with involvement in illegal Israeli settlements.

26. Resolution dated 24th June 2021 from Meath County Council in regard to the

German Sparkasse Community Banking Model and the Transport Support Scheme.

27. Resolution dated 25th June 2021 from Waterford City and County Council in regard to adult literacy limitations.
28. Letter dated 26th June 2021 from Residents of Naomh Padraig, Drumshanbo in regard to LED street lights.

Councillor Enda McGloin said if a light is replaced, the replacement is an LED light in order to reduce overall cost.

Councillor Brendan Barry said the lights are very close to a house and the LED lights produce a strong glare and are very bright. Councillor Barry asked if a different type of bulb or different shield could be used, and he said any available information in relation to the health impact of LED lights would be welcome.

Mr Joseph Gilhooly said the spill effect and glare of the LED lights at this location will be examined. LED lighting has significant saving in terms of energy reduction. Leitrim County Council are implementing national policy in installing LED lights. This type of lighting will continue to be rolled out until such time as national policy in this regard is changed.

29. Resolution from Kerry County Council dated 28th June 2021 in regard to dedicated Home School Liaison Officer.
30. Resolution from Sligo County Council dated 29th June 2021 calling for funding to be made available for the provision of small wastewater treatment systems in local villages throughout the country.
31. Email received 30th June 2021 from the Office of the Minister for Transport in regard to the Local Improvement Scheme.
32. Resolution from Donegal County Council dated 30th June 2021 in regard to making patisiran available to everyone in the 26 counties who require this life saving drug.
33. Resolution from Donegal County Council dated 30th June 2021 regarding the treatment of families and friends of the Ballymurphy 10.
34. Resolution from Donegal County Council dated 30th June 2021 in regard to the Israeli Ambassador and staff in the Israeli Embassy.

MM.107.21 Motion from Councillor Des Guckian - Wind Farm Developments

To consider the following Notice of Motion submitted by Councillor Des Guckian;

"That we, Councillors, agree that the only way to reverse the granting of planning permissions for gross wind-farm development on our mountain tops is that we agree among ourselves to place an amendment into the current County Development Plan forbidding all such gross developments in future and that we insist that this ban be carried forward into the new County Development Plan. Also, that this motion be forwarded to Sligo Co Council."

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

"The Members will be aware that the functions of the Planning Authority, whether through providing the policy framework for development within the County in the form of the County Development Plan, or the regulation of development in the County, through the planning application process, operate within the legislative framework of the Planning and Development Act 2000, as amended.

Within this legislative framework, the Planning Authority is required to ensure its County Development Plan is consistent, with national and regional development objectives set out in the National Planning Framework (NPF) and the Northern and Western Regional Spatial and Economic Strategy (RSES) respectively, and with specific planning policy requirements (SPPRs) specified in guidelines issued by the Minister under Section 28 of the Act, including the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017).

Members will also be aware of the role of the Office of the Planning Regulator (OPR) and its oversight functions which include the independent assessment of Local Authority development plans and the provision of statutory observations and recommendations to Local Authorities, to ensure consistency with relevant national or regional policies such as those provided for in the NPF, the RSES and within Section 28 guidelines.

In respect of the proposed motion, the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017) contains a specific planning policy requirement (SPPR) requiring development plans policies or objectives that relate to wind energy development to: (1.) acknowledge overall national policy on renewable energy; (2.) indicate how the implementation of the relevant development plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts); and (3.) demonstrate detailed compliance with item number (2) above in any proposal to introduce or vary a mandatory setback distance or distances for wind turbines from specified land uses or classes of land use into their development plan or local area plan with such proposals subject to environmental assessment requirements under the SEA and Habitats Directives.

Set within this context, the proposed motion to vary the County Development Plan would

render the County Development Plan inconsistent with this SPPR and would, in all likelihood, be the subject of a statutory recommendation from the OPR to remove any such variation and have the strong potential to be the subject of a Ministerial Direction to comply.

This view is supported by a number of cases specifically concerning wind energy policy whereby the Minister has directed local authorities to take specific measures to significantly amend or even delete policy material in their respective development plans which has been deemed to be inconsistent with national, regional policies (NPF and RSES) and specific planning policy requirements (SPPRs) set within Section 28 guidelines. These include:

- Westmeath County Development Plan 2021-2027 – wind energy policies deemed to be inconsistent with the Specific Planning Policy Requirement contained in the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (July 2017).
- Laois County Development Plan 2017-2023 – wind energy policies and associated Wind Energy Strategy were deemed inconsistent with Section 28 guidelines with insufficient grounds for such departures.
- Wicklow County Development Plan 2016-2022 – direction required the deletion of an objective referring to a minimum set-back for wind energy development.
- Variation No.1 of the Westmeath County Development Plan 2014-2020 – direction required the deletion of text from the variation limiting night-time noise from wind energy developments, which departing from noise limits established in the Section 28 guidelines for wind energy development.

Members should also note that any potential direction may have a significant bearing on the ability of the Planning Authority to transpose national and regional policy in respect of wind energy development in its functional area, given the specificity of previous directions issued by the Minister in this regard. Effectively, this runs the risk of local wind energy policy being imposed on the Planning Authority rather than allowing the Planning Authority to determine its own policies and objectives for such development by its interpretation with."

Councillor Des Guckian gave the background to his motion and said the reply received in this regard is to frighten the elected members and to deny them their rights. Councillor Guckian said that the only way to reverse the granting of planning permissions for gross wind-farm development on our mountain tops is for the members to agree among themselves to place an amendment into the current County Development Plan forbidding all such gross developments in future and that we insist that this ban be carried forward into the new County Development Plan. Councillor Guckian proposed that this motion be forwarded to all Local Authorities.

Councillor Justin Warnock supported the motion referring to powers to override everything - fracking, forestry and wind turbines. Councillor Justin Warnock said our mountains are not suitable for these wind turbines and they should be located out at sea. He stated that the Council cannot sit back and have to "take a stand".

Councillor Brendan Barry said the motion is very vague. He outlined that wind farms have a place however the national standards in terms of set back from houses don't go far enough, and they need to be more specific.

Councillor Enda McGloin outlined he agreed with Councillor Barry comments and as Chairperson of the Leitrim Tourism Network he understood the concerns in relation to the impact of large turbines on Leitrim tourism. He referred to the reply given to the motion - "that the proposed motion to vary the County Development plan would render the County Development Plan inconsistent with this SPPR and would, in all likelihood, be the subject of a statutory recommendation from the OPR to remove any such variation and have the strong potential to be the subject of a Ministerial Direction to comply" – and outlined the need to be realistic given that the County Development Plan must be compatible with National Guidelines and until such time as these are addressed, the motion is futile.

Councillor Pdraig Fallon said guidelines need to be more specific and he proposed that wind turbines be setback at least 10 times the tip height of the turbine.

Councillor Sean McDermott expressed his concerns about the height and number of wind turbines and that there is a bigger danger of mud slides due to a lot of bog being disturbed as a result of them being erected. Councillor McDermott noted that the guidelines for wind turbines have not been updated for many years.

Mr Joseph Gilhooly outlined that the reply to the motion is not to frighten anyone. It sets out the legislative framework under which the Planning Authority is required to ensure its County Development Plan is consistent with national and regional development objectives and with specific planning policy requirements. The Minister for Housing, Local Government and Heritage has previously directed local authorities to take specific measures to significantly amend or even delete policy material in their County Development Plans which has been deemed to be inconsistent with national and regional policies and specific planning policy requirements, as stated in the reply to Cllr Guckian's motion.

Mr Gilhooly said any move to prohibit wind farm development as suggest by this notice of motion is therefore not legally possible. Mr Gilhooly stated there is no evidence to suggest the Shass Mountain landslide is related to the construction of wind turbines.

Mr Bernard Greene, Senior Planner said it is the recommendation of the executive to adhere to the existing national policy and guidelines All constraints identified in the County Development Plan are taken into account when a planning application is being considered.

The Draft Wind Energy Guidelines require maps to be produced which show permissible zones with the county for wind turbines. A traffic light system of green, amber and red to guide potential applications for such wind farm developments will be proposed in the next draft County Development Plan which will take into account environmental and other factors.

Mr Greene said the proposal to set wind turbines back 10 times the tip height from dwellings would in effect render the county not suitable for wind turbines. The national

guidelines recommends 4 times the tip height or 500 metres from the nearest habitable property.

Mr Bernard Greene sought the members forbearance on this issue. He said Leitrim Planning Authority will look for a 6-month extension in the preparation of the County Development Plan and will have proposals in relation to wind energy in the preliminary draft County Development Plan which will be presented to members in September 2021. It was considered that this was the correct forum in which to debate this issue.

Mr Joseph Gilhooly acknowledged that the motion was supported, the legal position precludes the action sought as it not realistic and contrary to the legislative framework and in this regard, it is inadvisable to progress with a decision which could ultimately remove the members input into the County Development plan by receipt of Ministerial instruction in regard to this policy area. He recommended that the members retain that input by adhering to the national policies and guidelines and reflect these within the County Development Plan.

Cllr Des Guckian stated that there is a government directive that the County Development Plan can be put off for a year and that the Senior Planner has told members they have no power in amending the County Development Plan, as sought.

Mr Joseph Gilhooly clarified that some additional time will be sought to in the preparation of the County Development Plan. A draft Preliminary County Development Plan, which will contain proposals on this matter, will be with members by September for detailed discussion and deliberation at that time.

Councillor Enda McGloin outlined that in light of the response and clarification provided any discussion on this process is premature and the matter should be deferred until the draft development plan is circulated to members.

MM.108.21 Motion from Councillor Pdraig Fallon - LIS

To consider the following Notice of Motion submitted by Councillor Pdraig Fallon;

"I propose that this Local authority open/accept applications for the Local Improvement Scheme. Additional applications have not been taken or added to the list for a number of years now."

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

"The Councils focus in on the delivery of schemes to the significant waiting list in place. When funding became available through the Department of Rural and Community Development in 2017 there was 205 schemes on the list. Through the allocations received annually since 2017 up to and including 2020 coupled with some schemes dropping of the list there remains 110 schemes on the list. It must also be borne in mind that in the years

2017 and 2018 funding allocations were received twice each year, but this has not been the case since.

Given the significant number remaining on the waiting list and the expected period of time to deliver these schemes based on current progress (equivalent to region of 5 plus years allocations) is it not appropriate to reopen for applications. Furthermore, as the Members are aware from previous discussions before the scheme will be reopened in the future the Council must put in place an updated scheme based on a priority needs assessment process to establish the position on the waiting list. It is planned to recommence work on drafting the updated scheme later this year."

Councillor Padraig Fallon gave the background to his motion and said more applicants on the Local Improvement Scheme list will demonstrate demand and boost the Council's case for funding. He expressed his disappointment with the reply received.

Councillor Sean McGowan said he was very disappointed that the Department of Transport is not matching funding from the Department of Rural and Community Development. The funding being provided allows for the completion of 10-15 Local Improvement Schemes per year, which is not sufficient.

Councillor Enda McGloin said he didn't agree with adding more applications to the list as some applicants are on the LIS list for up to 14 years. He proposed that a deputation meet with Minister Hildegard Naughton Minister of State at the Department of Transport on this issue.

Councillor Brendan Barry supported the motion and said match funding should be provided by the Department of Transport.

Councillor Caillian Ellis outlined that here was no point in putting a person down on a list and having to wait 14 years and that pressure needed to be placed on getting funding to deal with the list.

Councillor Justin Warnock outlined that more funding is required.

Councillor Sean McDermott said sometime in the future the scheme will have to be opened up and this needs to be dealt with.

Councillor Padraig Fallon thanked the members for the open and frank discussion and for their view. Councillor Fallon said anybody looking to avail of this scheme are aware that there is a possibility of waiting for a decade. Councillor Fallon acknowledged the previous efforts made by the former Minister, Michael Ring in this regard.

Cathaoirleach, Councillor Paddy O'Rourke said that it has been recorded in the national print media that County Leitrim gets the lowest funding allocation for LIS Schemes in Ireland. Councillor Paddy O'Rourke noted there is not the same dependency on local rural roads in other counties as there is in Leitrim giving the size of land holdings in this county. He added

that a special case should be made to the Department of Transport for additional funding in this regard.

Mr Joseph Gilhooly outlined that every opportunity is being made to seek additional funding for LIS and there is no need to have additional applicants on the LIS list to show demand exists. Mr Gilhooly said €4 million is needed to deal with all applications currently on the list. Mr Gilhooly said the executive would gladly explore if Leitrim can obtain a greater level of funding from the national resources available. He advised that a priority-based LIS scheme should be put in place before the scheme is re-opened. Once the existing list is cleared, chronological order should no longer be used for future applicants.

MM.109.21 Motion from Councillor Sean McGowan - Old Meat Factory in Dromod

To consider the following Notice of Motion submitted by Councillor Sean McGowan;

"I ask the Director of Services Economic Development, Planning & Infrastructure Mr Joseph Gilhooly has there been any response from the Goodman group (AIBP) with regard to what are their plans for the old meat factory at Dromod. This is a prime site situated in the heart of the village which has been lying idle for the past 20 yrs."

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

"The Council made fresh contact recently with the property owners in regard to their plans and a general discussion relating to the property followed. The matter will continue to receive attention by the Council."

Councillor Thomas Mulligan and Councillor Des Guckian supported the motion.

Mr Joseph Gilhooly said discussions have taken place with the group and Leitrim County Council will continue with these discussions.

MM.110.21 Motion from Councillor Finola Armstrong McGuire - Local Link

To consider the following Notice of Motion submitted by Councillor Finola Armstrong-McGuire;

"I ask Leitrim County Council to engage with Local Link providers for County Leitrim past and present and reinstate and resume the lost links of the service. Not having had a presentation in years by the providers has left us in position of having no answers to queries for our constituents."

Report by Director of Services, Housing and Community, Corporate Services, Cultural and Emergency Services

"We will make contact with the manager of Local Link for the Donegal Sligo Leitrim region in this regard and seek a presentation to the members."

Councillor Finola Armstrong McGuire asked that a representative from Local Link come to a meeting of Leitrim County Council and address the Members in relation to the recent changes to the service, timetables and routes.

Councillor Thomas Mulligan said it is important that the media would have access to this meeting.

Councillor Frank Dolan said on two previous occasions Local Link were invited to meetings of the Planning, Economic Development and Infrastructure Strategic Policy Committee and they declined at the last minute.

Councillor Justin Warnock asked that this meeting be held as an online workshop. Councillor Justin Warnock paid tribute to the Local Link Service and said it has transformed the Kinlough area. It has a service 7 times a day and opened up new services to Kiltyclogher.

Councillor Des Guckian said he has already issued an email to Local Link in relation to the service and he hoped the meeting will be held online.

Councillor Sean McDermott welcomed the service in general and said roads need to be surveyed to ensure they are safe for buses to travel on.

Councillor Brendan Barry said bus size is an issue. The current provider may not be familiar with the rural roads in Leitrim which are more suitable for smaller buses.

Councillor Sean McGowan expressed his disappointment that Local Link did not attend the last Carrick Municipal District meeting and he said smaller buses are ideal for some communities.

Councillor Ita Reynolds Flynn said there needs to be suitable service for the vulnerable people in society.

Councillor Paddy Farrell outlined that many people are very happy with the service.

Councillor Pdraig Fallon said prior to the changes in services and given the demographics of the people of the area, people who previously used use the service are unable to use it now.

It was agreed that an online meeting be arranged for members and that members prepare a list of issues to raise with Local Link.

MM.111.21 Motion from Councillor Justin Warnock - Biodiversity Officer

To consider the following Notice of Motion submitted by Councillor Justin Warnock;

"This Government acknowledges that Ireland is in a biodiversity crisis and with the National Biodiversity Action Plan (2017 - 2021) due to expire this year and a new plan to be

published, I will ask that Leitrim County Council employ a full time Biodiversity Officer to deliver the key objectives of the new 5 year plan."

Report by Head of Finance & Water Services

"The Local Government Sector has prepared and submitted a business case to Government to seek funding for a number of Climate Action related posts within each Local Authority. Discussions are ongoing and it is hoped that funding will be forthcoming in this regard."

Councillor Justin Warnock said he hoped a Biodiversity Officer will be employed and the National Biodiversity Action Plan (2017 - 2021) will be delivered.

Mr Vincent Dwyer said a business case has been sent to the Government in this regard and a Green Solutions Officer will cover the area of biodiversity.

MM.112.21 Motion from Councillor Felim Gurn - Community Services

To consider the following Notice of Motion submitted by Councillor Felim Gurn;

"Can the HSE provide a list of buildings it owns in the county and, if they are empty or unused for how long has this been the case, and will they hand them over to Community groups to facilitate the provision of services such as family resource centres and counselling services for young people and adults. The COVID lockdown has had an impact on society, interfering with people's daily lives and impacting their mental health and additional resources in terms of accommodation and funding for the provision of services to address these issues is needed."

Report by Director of Services, Housing and Community, Corporate Services, Cultural and Emergency Services

"A request will be made to the HSE in this regard."

MM.113.21 Motion from Councillor Sean McDermott - National Broadband

To consider the following Notice of Motion submitted by Councillor Sean McDermott;

"I ask Leitrim County Council to seek clarity from the Department regarding the National Broadband Plan in relation to the 51 schools that have been supplied with connection points. I understand that this service could be available to the residents living close by to these schools, this is very important to people who are working from home. In my parish the church is close by to the school and could avail of this service as their broadband is very poor."

Report by Director of Services, Housing and Community, Corporate Services, Cultural and Emergency Services

"This query has been referred by the Broadband Officer to the Department of Environment, Climate and Communications. They have responded with the following statement:

Broadband Connection Points (BCPs) are a key element of the National Broadband Plan (NBP) providing high speed broadband in every county in advance of the roll out of the fibre to the home network. As of 1 July, 326 BCPs have been installed by National Broadband Ireland (NBI) and the high-speed broadband service will be switched on in these locations through service provider contracts managed by the Department of Rural and Community Development for publicly accessible sites and the Department of Education for schools.

Connection Points established as part of the BCP Schools Initiative have a fixed wireless connection that will carry the schools' services back into the HEAnet network. It is independent of Wi-Fi, and the link is utilised by the internal school network, without any external points of access. Therefore, it is not possible to facilitate any other connections at school BCPs.

There are however a number of public BCPs connected and planned for County Leitrim. These will provide Wi-Fi connections that are available to the public. BCP sites installed and connected in County Leitrim include:

1. Glencar Waterfall
2. Aghanlish Community Centre
3. Gortlettragh Community Centre
4. Askill Community Centre
5. Killargue Community Centre
6. Aughawillan Gaa Clubrooms
7. Aughavas Gaa Park
8. Aughawillan Community Centre

Additional public BCP sites are planned for:

1. Killenumery Hall
2. Drumeela Community Centre
3. Leitrim Gaels Community Facility
4. New Ballagh Centre

Further details can be found at <https://nbi.ie/bcp-map/>"

Councillor Sean McDermott said he was not happy with the reply received in this regard and said he will follow this up with the relevant Department. Councillor Paddy O'Rourke supported the motion.

MM.114.21 Motion from Councillor Thomas Mulligan - Hedge Cutting

To consider the following Notice of Motion submitted by Councillor Thomas Mulligan;

"As a result of numerous complaints regarding the late cutting of grass verges at junctions along our regional roads I am proposing that starting from 2022 we start this work in early

May and have it completed during the peak growing season."

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

"On a normal year, our programme would have allowed us to commence regional road junction hedge cutting earlier in the calendar year. However, this year has provided obstacles such as getting contractors to carry out works, shortened timeframe and, not least, covid restrictions."

Councillor Thomas Mulligan asked if cutting of grass verges at junctions could be started 4 week earlier. Councillor Sean McGowan and Councillor Ita Reynolds Flynn supported the motion.

Mr Terry McGovern said this work was delayed in 2021 due to the COVID-19 pandemic. Under normal circumstances this work would commence at the end of May.

MM.115.21 Motion from Councillor Enda McGloin:- First Time Buyers

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

"It has become clear that the supply of affordable housing for first time buyers in County Leitrim has diminished drastically over the past 12 months.

If supply continues to dwindle this will also increase house prices. Based on recent planning applications granted can Leitrim County Council estimate if this situation will improve over the foreseeable future and if not as a local authority should we not be concerned as it is our stated ambition (in various documents) to grow this county's population."

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

"The submitted question is both topical and timely considering the development plan review and ongoing housing discourse nationally. In reality, the supply of all new housing units in multiple house developments in Leitrim has been stagnant for more than a decade with the only new units brought to the market consisting of units in former incomplete or unfinished housing estates. Currently the cost of construction coupled with stringent Building Regulations incorporating climate change measures in terms of energy efficiency would appear to make it generally unfeasible for private developers to build multiple houses in Leitrim at a price which has the potential to cover land acquisition, construction costs to current standards and a reasonable profit element while at a level where potential homeowners can secure mortgages to buy. In addition, in accordance with the requirements of the Planning and Development Act 2000 (as amended) 10% of the units in a development must also be allocated as social housing. The Planning Authority recently granted permission for the development of 40 units at the Priors Point estate in Carrick on Shannon and this is currently the subject of a third-party appeal to An Bord Pleanála. However, the Council does recognize the need for an increased housing supply in order for the County to continue its attractiveness as a location for new residents and indeed businesses.

The Department amended the legislation a number of years ago as it considered at that time with the fall in house prices nationally that there no longer was an issue with regard to affordable housing given the low cost of housing within the housing market. This situation has changed radically with the stated intention of the Minister to reintroduce an affordable homes model requiring an additional 10% of units being provided as affordable.

Last month Circular 23/2021 was issued by the Department where the government reiterated that the Programme for Government 2020 'Our Shared Future' is committed to ensuring that affordable housing is available to everyone in society and commits to state backed affordable housing where affordable housing will be delivered on Local Authority lands. The Affordable Housing Bill was passed by the Dail recently providing for affordable dwelling purchase arrangements, cost rental and shared equity basis. First-time buyers could also avail of the existing Help-to-Buy Scheme which gives tax relief up to 10 per cent of the property's value (to a maximum of €30,000).

As part of the County Development Plan review process, the Planning Authority have engaged consultants to prepare a Housing Needs Demand Assessment (HNDA) which is the sole basis of determination of demand for housing units as prescribed by the Department of Housing, Local Government and Heritage. It is the Planning Authority's intention to facilitate the delivery of affordable housing where the HNDA identifies such need, and this will be reflected in the upcoming draft Development Plan for your consideration later this year."

Councillor Enda McGloin welcomed the response received and complemented the Planning Section in bringing unfinished housing to a standard to satisfy market demand. He welcomed that a process is included in the County Development Plan to determine housing need and he acknowledged the content of the Departments Circular in respect of affordable housing.

Councillor Enda McGloin said the provision of affordable housing is a crisis facing Leitrim if we wish to grow our population and it will have to be addressed in the County Development Plan.

Councillor Des Guckian said the Government's Housing policy is failing miserably.

Councillor Justin Warnock supported the motion.

In supporting the motion, Brendan Barry said the cost of materials and the zero discharge are barriers for people building houses.

Mr Bernard Greene, Senior Planner outlined that as part of the County Development Plan review process, the Planning Authority have engaged consultants to prepare a Housing Needs Demand Assessment (HNDA) to cover the life of the plan, and this is the sole basis of determination of demand for housing units. It is the Planning Authority's intention to facilitate the delivery of affordable housing where the HNDA identifies such need, and this will be reflected in the upcoming draft Development Plan. A requirement of the Planning

and Development Act 2000 is that 10% of the units in a development must also be allocated as social housing generally in schemes of 9 units or more housing units.

MM.116.21 Motion from Councillor Paddy Farrell - Funding for R280

To consider the following Notice of Motion submitted by Councillor Paddy Farrell;

"I call on Leitrim County Council to apply to the Government and the Minister for as much funding as possible to improve the R280 from Carrick-on-Shannon to Manorhamilton as it would help with the flow of traffic."

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

"We made applications for funding for eleven different Specific Improvement grants for road upgrades throughout the county for the current year, five of which were on the R280. We were successful in getting funding towards one project, namely Lennox bridge which is on the R280. We have since asked the department to consider the upgrade of this strategic route for a substantial funding package, and they are considering this request."

Councillor Paddy Farrell said he was disappointed from the reply received that only one project was funded on the R280, and he called on the Members and executive to continue to seek as much funding as possible to improve R280 from Carrick-on-Shannon to Manorhamilton.

Mr Terry McGovern, A/Senior Engineer said 11 Specific Improvement Grants were applied for in the current year and approval was received for 1. An application has been made to the Department for a strategic grant on this route and this is currently being considered by the Department. Leitrim County Council will continue to apply for specific improvement grants.

Councillor Justin Warnock welcomed the funding for the Lennox Bridge.

Councillor Sean McDermott outlined that the road from Manorhamilton to Carrick-on-Shannon has improved highlighting the importance of the route.

Councillor Frank Dolan said the R280 is the main road of North Leitrim, and more funding is required for the route from Kinlough northwards.

MM.117.21 Motion from Councillor Paddy O'Rourke - Respite Services for People with Disabilities

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

"I ask that Leitrim County Council contact the HSE in regard to their plans to provide respite services for people with disabilities in the south of the county, the current arrangement whereby those needing respite must travel to Tullaghan in the extreme north of the county

is not adequate given the distance involved, with many families reluctant to have their family members go so far from home in case any issues should arise. Leaving aside the current difficulties associated with the pandemic, families have not had respite for very long periods, and we have to have a solution."

Councillor Paddy O'Rourke asked that Leitrim County Council contact the HSE to provide respite services for people with disabilities in the South of the county and given the distance involved to Kinlough, families from South Leitrim have not availed of the service.

Councillor Ita Reynolds Flynn supported the motion and said the service closes on a half day on a Friday and reopens on Monday.

Councillor Justin Warnock said the weekends could be considered and he would not like the service at Tullaghan closed.

Councillor Des Guckian supported the motion.

Councillor Sean McGowan queried if the HSE still had respite service in Rooskey and stated this could be queried with HSE.

On the **Proposal** of Cllr Paddy O'Rourke
Seconded by Cllr Ita Reynolds Flynn

It was **AGREED** that Leitrim County Council contact the HSE in regard to their plans to provide respite services for people with disabilities in the south of the county, the current arrangement whereby those needing respite must travel to Tullaghan in the extreme north of the county is not adequate given the distance involved, with many families reluctant to have their family members go so far from home in case any issues should arise. Leaving aside the current difficulties associated with the pandemic, families have not had respite for very long periods and we have to have a solution.

MM.118.21 Motion from Councillor Mary Bohan - Reopening of Garda Station in Drumkeeran

To consider the following Notice of Motion submitted by Councillor Cllr Mary Bohan;

"I propose that Leitrim County Council call on the Minister for Justice and the Garda Commissioner to reopen the Garda Station in Drumkeeran. The closure was a very poor decision at the time, and it is now time to reverse it. In the best interests of the local community this property should be withdrawn from the proposed public auction in September and returned to a functioning Garda station."

Cathaoirleach, Councillor Paddy O'Rourke moved the motion as Councillor Mary Bohan was not in attendance at the meeting.

MM.119.21 Motion from Councillor Brendan Barry - CAP Programme

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

"I request that Leitrim County Council call on the Minister for Agriculture, Charlie McConalogue when defining the incoming CAP programme, to set the convergence rate at 100%, have a frontloaded payment on first 15 hectares through Complementary Redistributive Income Support for Sustainability (CRISS), and a true limit on pillar 1 payments of €60,000 with no loopholes for labour units."

Councillor Justin Warnock seconded the motion. Councillor Pdraig Fallon supported the motion and thanked Cllr Barry for raising this motion.

On the **Proposal** of Cllr Brendan Barry
Seconded by Cllr Justin Warnock

It was **AGREED** that Leitrim County Council call on the Minister for Agriculture, Charlie McConalogue when defining the incoming CAP programme, to set the convergence rate at 100%, have a frontloaded payment on first 15 hectares through Complementary Redistributive Income Support for Sustainability (CRISS), and a true limit on pillar 1 payments of €60,000 with no loopholes for labour units.

MM.120.21 Motion from Councillor Ita Reynolds Flynn - Personal Assistance Service for people with Disabilities

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

"I wish to propose that Leitrim County Council supports the right to a Personal Assistance Service (PAS) for people with disabilities People to have freedom choice and control over all aspects of their lives to enable them to fully participate in an inclusive society as equals."

Councillor Ita Reynolds Flynn gave the background to her motion and said it is very important that we help the vulnerable to look after themselves.

Councillor Sean McGowan, Councillor Pdraig Fallon, Councillor Des Guckian, Councillor Justin Warnock and Councillor Brendan Barry supported the motion.

MM.121.21 Any Other Business

Councillor Enda McGloin queried if meetings resumed physically in September would the 2hr rule still apply. Cathaoirleach, Councillor Paddy O'Rourke said the Council were awaiting guidance on the holding of physical meetings. He outlined that the Corporate Policy Group will meet in advance of the September Council meeting and will consider the holding of physical meetings in the context of public health guidelines in operation at that time.

Councillor Des Guckian outlined his view that online meetings should continue for a further

few months.

This concluded the business of the meeting at 1.56 pm

Signed:

Councillor Paddy O'Rourke
Cathaoirleach

Kieran Brett
Meetings Administrator

Dated: Monday, 6 September 2021