

**MINUTES OF FEBRUARY MEETING OF THE COUNCIL HELD ON THE 23rd OF
FEBRUARY 2004 IN ÁRAS AN CHONTAE, PORTLAOISE AT 11.00 A.M.**

PRESENT: Councillor Joseph Digan In the Chair

ALSO PRESENT: Councillors William Aird, John Bonham, Michael Costello, Ray Cribbin, James Daly, James Deegan, John Joe Fennelly, Charles Flanagan, Bill Delaney, David Goodwin, Michael Lalor, Jerry Lodge, Seamus McDonlad, P.J. Bracken, John Moran, Brendan Phelan, Martin Phelan, Michael Rice, Martin Rohan, Mary Sweeney, Michael Turley, Mary Wheatley

APOLOGIES: Catherine Fitzgerald, John Dunne

IN ATTENDANCE:

Messers Martin Riordan, County Manager, Louis Brennan, Director of Services, Sean Mullins, A/Director of Services, Gerry Gibson, Director of Services, Peter Scully, Head of Finance, Declan Byrne, Director of Services, Ms. Carmel McNicholl, A/Senior Executive Officer, Corporate Affairs, Ms. Irene Delaney, Administrative Officer, Corporate Affairs & Ms. Michelle McCormack, Assistant Staff Officer, Corporate Affairs.

888. CONFIRMATION OF MINUTES

- (a) On the proposition of Councillor Ray Cribbin seconded by Councillor Mary Wheatley, the minutes of special meeting of Laois County Council held on the 16th of January 2004 were confirmed and signed.
- (b) On the proposition of Councillor Ray Cribbin seconded by Councillor Mary Wheatley, the minutes of January meeting of Laois County Council held on the 26th of January 2004 were confirmed and signed with the amendment that Councillor Brendan Phelan's name be included as Members present.

889. VOTE OF SYMPATHY

On the proposition of Councillor Jerry Lodge seconded by Councillor William Aird, the members unanimously passed a vote of sympathy to the Condon, Fitzgerald and

Daly families on the recent death of Councillor Catherine Fitzgerald's sister, Ms. Maureen Condon. It was agreed that the meeting be adjourned as a mark of respect until 11.30 a.m. The meeting reconvened at 11.30 a.m.

890. WELCOME

On the proposition of the Mayor, the members unanimously welcomed the students from Clonaslee Vocational School.

The Mayor also welcomed Ms. Mansfield, daughter of former Councillor, Mr. Willie Mansfield and wished her well in her studies.

891. REPORT ON S.P.C. & AREA COMMITTEE MEETINGS HELD IN DECEMBER 2003

The reports on Strategic Policy Committee Meetings & Area Committee Meetings held in December 2003 as circulated were noted by members.

892. PRESENTATION BY MR. PAT KEATING, PROJECT MANAGER, MIDLAND REGIONAL AUTHORITY ON DRAFT REGIONAL PLANNING GUIDELINES

Mr. Pat Keating, Project Manager, Midland Regional Authority was in attendance to give a presentation on the Draft Regional Planning Guidelines. Members of Portlaoise and Mountmellick Town Councils were welcomed who were present for this item. Members were advised that the guidelines were on public display since the 11th of February 2004 and would be on display until the 21st of April 2004 and that any observations/submissions should be submitted to the Midland Regional Authority before that date.

Members expressed concern in relation to various items in the draft guidelines and it was suggested that a special meeting of the Council be arranged to discuss the guidelines in more detail. The County Manager indicated that the guidelines would be discussed at the next Strategic Policy Committee Meeting and that a special briefing meeting of the full Council would also be held.

The County Manager thanked Mr. Pat Keating for his presentation to the Council and also the elected members for their contribution to the draft guidelines.

893. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 IN RESPECT OF HOUSING DEVELOPMENT AT DAVITT ROAD, ACRAGAR, MOUNTMELICK

On the proposition of Councillor Patrick Bracken seconded by Councillor Seamus McDonald, the members unanimously agreed that the Council proceed with Part VIII of the Local Government Regulations, 2001 in accordance with the planning report presented to the meeting, in respect of the development comprising of 32 social houses consisting of 8 no. two bedroom houses, 22 no. three bedroom houses and 2 no. four bedroom houses and 32 affordable houses consisting of 4 no. two bedroom houses and 28 no. three bedroom houses at Davitt Road, Acragar, Mountmellick.

Queries raised by the members were replied to.

894. NOMINATION OF TWO MEMBERS TO LAOIS COUNTY COUNCIL'S HOMELESS FORUM

Members were advised in a report circulated, that under the policy 'Homelessness An Integrated Strategy for County Laois 2002 - 2004 adopted by the Council in September 2002, a homeless forum was set up to prepare an action plan to provide a more coherent and integrated delivery of services to homeless persons by all agencies dealing with homelessness in County Laois.

At the last meeting of the Homeless Forum, it was agreed to invite two members of Laois County Council to sit on the committee.

On the proposition of Councillor Ray Cribbin seconded by Councillor Martin Rohan, members unanimously agreed that Councillor Jerry Lodge would be nominated as a member on the Laois County Council's Homeless Forum.

On the proposition of Councillor James Deegan seconded by Councillor John Moran, members unanimously agreed that Councillor William Aird would be nominated as a member on the Laois County Council's Homeless Forum.

895. AFFORDABLE HOUSING SCHEME AT THE RIDGE ROAD

The County Manager indicated that at the last meeting he undertook to report on loan approvals and compliance with the Part VIII of the Planning Regulations and that details on these were set out in his report as circulated.

Members expressed concern in relation to the wall referred to in the report. Following prolonged debate and on the suggestion of members, the Director of Services, Mr. Declan Byrne indicated that there would be no problem in raising the existing wall subject to agreement with the adjoining landowner.

Councillor Jerry Lodge suggested that a letter issue from the Director of Services to the landowner indicating what the Council is proposing. The County Manager stated that this matter would be discussed with the landowner as requested.

896. ADOPTION OF CAR PARK & PARKING PLACES BYE-LAWS 2004

Report dated the 21st of January 2004 under this heading which had been circulated was considered by the Council. Councillor Jerry Lodge stated that there was no agreement by the Portlaoise Electoral Area members in relation to the regulation of parking at Áras an Chontae until additional long term parking spaces are provided in the town.

A lengthy discussion ensued during which all aspects of the report were considered. On the proposition of Councillor John Moran seconded by Councillor James Deegan, the members agreed to the adoption of the Car Park & Parking Places Bye-Laws 2004 as set out in the said report with the exception of the introduction of pay and display parking around Áras an Chontae.

897. ADOPTION OF SPEED LIMIT BYE-LAWS 2004

Members had been circulated with details of the proposed amendments to the existing bye-laws. On the proposition of Councillor John Bonham seconded by Councillor Michael Turley, members unanimously agreed that this item be deferred to the area meetings of the Council. It was also agreed that they would be placed on the agenda for the March meeting of the Council for adoption following discussion at the area meetings. Mr. Michael O' Hora, Senior Executive Engineer to be in attendance at the area meetings.

898. ADOPTION OF ROADWORKS PROGRAMME 2004 AS AGREED AT AREA MEETINGS

On the proposition of Councillor Seamus McDonald seconded by Councillor Patrick Bracken, the 2004 Roadworks Programme was unanimously agreed. It was also noted that the roadway leading to Mr. Frank Keating's houses at Brockera be included.

899. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001

- (i) On the proposition of Councillor Seamus McDonald seconded by Councillor James Deegan, members unanimously agreed to the disposal of 2.61 acres (sites no. 9, 10, 11, 12 & 14) at Portarlinton Industrial Estate in the townland of Cooltederry to S.B.S. Timberframe Ltd., Fort Road, Kilrush, Co. Clare by way of a 500 year lease with a site fine of €287,100.

Members were advised that S.B.S Timberframe Ltd., are engaged in the manufacture of quality timber frame houses and they presently operate from a leased premises in the midlands. They are now seeking to establish a permanent base in County Laois and propose to erect a 34,000 sq. ft. facility with the provision of 40 to 50 new jobs.

This development is in keeping with Laois County Council's policy to attract inward investment, foster a climate of self-sustaining development and ensure that balanced development takes place throughout the County.

- (ii) As Councillor Ray Cribbin had a material interest in this item, he left the Chamber while the matter was being discussed. On the proposition of Councillor Mary Wheatley seconded by Councillor Martin Rohan, members unanimously agreed to the disposal of 18 m² at Main Street, Portarlinton in the townland of Cooltederry to Mr. Ray Cribbin, Main Street, Portarlinton for the sum of €127 plus legal costs

Members were advised that Mr. Ray Cribbin had applied to the Council to purchase a plot of ground adjacent to his property. The plot of ground measures 18 m² and is of no beneficial use to Laois County Council.

900. CORRESPONDENCE

It was noted that there was no correspondence

901. NOTICE OF MOTIONS

Notice of Motion No. 18/04

Councillor Jerry Lodge proposed the following Notice of Motion:-

"That this Council, when deciding to 'take in charge' additional roads, agrees to a policy of non-discrimination between rural and urban roads"

Due to the absence of Councillor Jerry Lodge, this motion was deferred to the March Meeting of Laois County Council

Notice of Motion No. 28/04

Councillor James Deegan proposed the following Notice of Motion:-

"That Laois County Council state it's policy regarding the erection of signage and signposts when erected by voluntary associations"

This motion was seconded by Councillor Michael Lalor. Members were advised that in accordance with Section 254 of the Planning & Development Act, 2000, a licence is required from the planning authority for the erection of the following along a public road:-

- (a) a vending machine
- (b) a town or landscape map for indicating directions or places
- (c) a hoarding, fence or scaffold
- (d) an advertisement structure
- (e) a cable, wire or pipeline
- (f) a telephone kiosk or pedestal or
- (g) any other appliance, apparatus or structure, which may be prescribed as requiring a licence under this section

Where the above structures or appliances are erected by the planning authority, a licence is not required.

An annual licence fee of €630 is payable to the planning authority in respect of advertisement structures or advertisements consisting of any text, symbol, emblem, model, device or logo.

In the case of Community Alert & Neighbourhood Watch signs, it has been agreed that Laois County Council will erect these signs when other works are being carried out in the relevant areas. It will not be necessary, therefore, for the community groups involved to obtain licences or pay licence fees.

Discussions are taking place with the County Development Board with a view to formulating a policy for the erection of signage by other voluntary associations.

When a draft policy has been prepared, it will be brought before the Economic Planning & Planning SPC and then before the full Council for approval. The members noted the report.

902. VOTE OF SYMPATHY

On the proposition of the Mayor, Councillor Joe Digan and unanimously agreed, a vote of sympathy was extended to Mr. Colm Murphy, Solicitor for the Council on the recent death of his sister, Aislinn.

This concluded the business of the meeting.

SIGNED: _____
MAYOR

CERTIFIED: _____
DIRECTOR CORPORATE AFFAIRS

DATE: _____