

MINUTES OF APRIL MEETING OF THE COUNCIL HELD ON THE 25<sup>TH</sup> OF  
APRIL 2005 IN ÁRAS AN CHONTAE, PORTLAOISE AT 11.00 A.M.

<b>PRESENT:</b>	Councillor	William Aird	In the Chair
<b>ALSO PRESENT:</b>	Councillors	John Bonham Ray Cribbin James Deegan John Joe Fennelly David Goodwin Larry Kavanagh Jerry Lodge Michael Moloney Paul Mitchell Brendan Phelan Michael Rice Mary Sweeney	Patrick Bracken James Daly Bill Delaney Catherine Fitzgerald Tom Jacob Michael Lalor Seamus McDonald Dick Miller John Moran Martin Phelan Brian Stanley John D. Turley

**IN ATTENDANCE:**

Messers Peter Carey, County Manager, Louis Brennan, Director of Services, John Daly, Director of Services, Gerry Gibson, Director of Services, Declan Byrne, Director of Services, Gerry Murphy, A/Head of Finance, Gerry Gillen, Senior Executive Officer, Corporate Affairs & Ms. Michelle McCormack, Assistant Staff Officer, Corporate Affairs

**59. VOTE OF SYMPATHY**

On the proposition of the Cathaoirleach, Councillor William Aird it was unanimously agreed that the condolences of the Council be extended to the members of the Catholic Church and the members of the Polish Community here in Ireland on the recent death of Pope John Paul II. The Members also welcomed the elevation to papal office of Pope Benedict XVI.

## **60. WELCOME TO STUDENTS**

Cllr. Willie Aird, Cathaoirleach of Laois County Council, welcomed the transition year students from Portlaoise CBS along with their teacher Louise Gillsen and also the transition year students from Sacred Heart, Portlaoise with their teacher Ann Dollard who were attending the Council Meeting as part of the second level schools programme 2005.

## **61. CONFIRMATION OF MINUTES**

On the proposition of Councillor Tom Jacob seconded by Councillor Michael Lalor, it was unanimously agreed that the minutes of the March meeting of Laois County Council as circulated be adopted and signed.

## **62. ELECTION OF LEAS-CATHAOIRLEACH**

On the proposition of Councillor Brian Stanley seconded by Councillor Tom Jacob, the members unanimously agreed that Mr. John D. Turley be elected Leas-Cathaoirleach of Laois County Council.

The Cathaoirleach formally welcomed Councillor John D. Turley to the Chamber and congratulated him on being elected to the position of Leas-Cathaoirleach.

Councillor John D. Turley formally thanked his proposer and seconder. The members individually congratulated Councillor Turley on his appointment.

## **63. APPOINTMENT OR NOMINATION OF A MEMBER TO:-**

### **(i) Planning & Transportation Strategic Policy Committee**

On the proposition of Councillor Brian Stanley seconded by Councillor Tom Jacob, it was unanimously agreed that Councillor John D. Turley be nominated to the Planning & Transportation Strategic Policy Committee.

### **(ii) Portarlinton Joint Burial Board**

On the proposition of Councillor Brian Stanley seconded by Councillor Tom Jacob, it was unanimously agreed that Councillor John D. Turley be nominated to the Portarlinton Joint Burial Board

**(iii) Mid-East Regional Tourism Authority**

On the proposition of Councillor Brian Stanley seconded by Councillor Larry Kavanagh, it was unanimously agreed that Councillor Tom Jacob be nominated to the Mid-East Regional Tourism Authority

**(iv) Rural Water Monitoring Committee**

On the proposition of Councillor Brian Stanley seconded by Councillor Tom Jacob, it was unanimously agreed that Councillor John D. Turley be nominated to the Rural Water Monitoring Committee

**(v) Laois T.R.I.P.**

On the proposition of Councillor Brian Stanley seconded by Councillor Tom Jacob, it was unanimously agreed that Councillor John D. Turley be nominated to the Laois T.R.I.P.

**(vi) Laois Tourism Company Ltd**

On the proposition of Councillor Brian Stanley seconded by Councillor Larry Kavanagh, it was unanimously agreed that Councillor Tom Jacob be nominated to the Laois Tourism Company Ltd

**64. DRAFT FOUR YEAR PROGRAMME FOR THE ACCOMMODATION OF TRAVELLING FAMILIES 2005-2008**

The Members had been circulated with a copy of the Draft Four Year Programme for the Accommodation of Travelling Families for 2005 - 2008. The report was welcomed by the members of the Council and all employees of the Council associated with its production were complimented on the quality of the comprehensive report.

The Members expressed concern in relation to the need to identify a designated site for transient Travelers and the need to introduce Bye-laws to regulate trading by transient Travelers. The Members requested that the O.P.W. be contacted with

a view to attending a future meeting of Laois County Council in order to explore the possibility of providing an area suitable for use by Transient Travelers for trading at The Heath.

The County Manager welcomed the production of the plan and acknowledged the progress made under the previous plan. He acknowledged the work of the Consultative Committee under the Chairmanship of Councillor Michael Moloney and the Strategic Policy Committee chaired by Councillor Brian Stanley. He also acknowledged the work of all the employees who had worked to produce the plan.

**65. MATERIAL CONTRAVENTION OF THE COUNTY DEVELOPMENT PLAN IN REALTION TO APPLICATION FOR PERMISSION TO CONSTRUCT A MIXED USE DEVELOPMENT, INCLUDING RETAIL SPACE, OFFICE SPACE, APARTMENTS, BAR AND RESTAURANT AND UNDERGROUND CAR PARKING ON A SITE OF SOME 1.1 HECTARES AT O' MOORE PARK, ABBEYLEIX ROAD, PORTLAOISE**

Councillor Dick Miller indicated that in his capacity as Chairperson of Laois G.A.A. County Board he had a vested interest in this item and excused himself from the meeting. The Members were then circulated with the planning report in relation to this item. It was proposed by Councillor Ray Cribbin seconded by Councillor Mary Sweeney that the County Development Plan be contravened to facilitate the following development:-

Construction of a mixed use development, including retail space, office space, apartments, bar and restaurant and underground car parking on a site of some 1.1 hectares at O' Moore Park, Abbeyleix Road, Portlaoise, Co. Laois.

As there were no dissenting voices the resolution was deemed to have been adopted.

**66. CONSIDERATION OF REPORT IN RELATION TO THE MAKING OF A SUBMISSION WITH REGARD TO THE N.R.A. DRAFT TOLL SCHEME FOR THE M7 (PORTLAOISE TO CASTLETOWN) M8 (PORTLAOISE TO CULLAHILL) MOTORWAY**

The Members were circulated with details that it was proposed to include as part of a draft submission by Laois County Council regarding the draft Toll Scheme for the M7/M8. Councillor Michael Moloney proposed that a deputation should meet

with the Minister regarding this issue. This proposal was seconded by Councillor Tom Jacob.

Councillor Brian Stanley requested that the fact that the public will pay €800 million be included in the objection to the draft Tolling Scheme.

Mr. Gerry Gibson, Director of Services responded to the various queries raised.

Mr. Gerry Gillen, Senior Executive Officer indicated that a representative from the N.R.A. would be in attendance at the May meeting of Laois County Council to address issues in relation to signage provisions and tolling proposals on the motorway.

**67. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 2001 IN RESPECT OF:**

**(a) 1 No. Rural Dwelling in the Townland of Rossmore, Errill**

The proposed development is for a new single storey dwelling house. The development is located along a county road.

**(b) 1 No. Rural Dwelling in the Townland of Derrylusk, Mountrath**

The proposed development is for a new dwelling house to replace an existing dwelling located nearby. The development is located along the regional road R423 from Mountrath.

**(c) 1 No. Rural Dwelling in the Townland of Ballyhorahan, Mountrath**

The proposed development is for a new dwelling house to replace an existing dwelling located nearby. The development is located along a county road.

**(d) 1 No. Rural Dwelling in the Townland of Bockagh, Mountrath**

The proposed development is for a new dwelling house to replace an existing dwelling located nearby. The development is located along a county road

**(e) 1 No. Rural Dwelling in the Townland of Graigue, Mountmellick**

The proposed development is for a new dwelling house to replace an existing dwelling and 1 no. existing demountable dwelling. The development is located along a county road. The proposed house is a three bedroomed single storey dwelling.

**(f) 1 No. Rural Dwelling in the Townland of Ballymeelish, Ballybrophy**

The proposed development is for a new single storey dwelling house located on the applicant's parents small holding. The site is located along a county road and is considered to be an infill development.

**(g) 1 No. Rural Dwelling in the Townland of Corbally, Abbeyleix**

The proposed development is for a new dwelling house to replace an existing dwelling located nearby. The development is located along the N8.

The Members were circulated with the relevant planning reports in relation to the above proposed developments.

On the proposition of Councillor John Joe Fennelly seconded by Councillor Paul Mitchell, the members unanimously agreed to proceed with the proposed developments. Ms. Anna Marie Delaney, Senior Executive Officer, Housing replied to queries raised by the members.

**68. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 IN RESPECT OF RESERVOIR AT WOLFHILL**

The Members were circulated with the relevant planning report in relation to the proposed developments. The proposed development comprises the construction of a new 1100 cubic metre reservoir and associated site works in conjunction with the taking in charge of the Slatt-Wolfhill Group Water Scheme. The existing group water scheme is fed from The Swan public water supply. The storage capacity of this scheme is not adequate. The height of the proposed reservoir is 7m and has a diameter of approximately 20m. Provision is being made for the inclusion of a second reservoir should the demand for increased storage arise.

On the proposition of Councillor James Daly seconded by Councillor Michael Rice, the members unanimously agreed to proceed with the proposed development.

**69. CONSIDERATION OF SUSTAINABLE RURAL HOUSING GUIDELINES FOR PLANNING AUTHORITIES**

Mr. Peter Dolan, Senior Planner gave a presentation on the recently published guidelines for Planning Authorities in relation to Sustainable Rural Housing. He outlined the main principles and objectives of the guidelines. The Members generally expressed concern in relation to the statutory powers of the guidelines. The Members expressed concerns also in relation to the use of occupancy clauses and sterilization conditioning in relation to rural housing applications. Mr. Gerry Gibson, Director of Services responded to the various queries raised.

**70. STATUTORY AUDIT REPORT ON THE ACCOUNTS OF LAOIS COUNTY COUNCIL FOR THE YEAR ENDED DECEMBER 31<sup>ST</sup> 2003**

The Members were circulated with a report on the statutory audit of the accounts of Laois County Council for the year ended 31<sup>st</sup> of December 2003 prepared by Mr. Doheny, Local Government Auditor.

On the proposition of Councillor Tom Jacob seconded by Councillor Jerry Lodge, the members unanimously agreed the Statutory Audit Report on the accounts of Laois County Council for the year ended 31<sup>st</sup> December 2005

**71. ANNUAL FINANCIAL STATEMENT 2004, APPROVAL FOR OVER EXPENDITURE AND TRANSFERS TO CAPITAL**

Mr. Gerry Murphy, A/Head of Finance advised the Members in relation to the contents of Annual Financial Statement for the year ending on the 31<sup>st</sup> of December 2003. The report indicated that all revenue debtors including those relating to rents, rates, loans and water charges are reflected in the balance sheet and adequate provision has been made for doubtful debts.

On the proposition of Councillor Michael Lalor seconded by Councillor Tom Jacob, the Members unanimously agreed the over-expenditure and transfers to capital as set out by the Acting Head of Finance in his report, the details of which are set out below. The Members together with the County Manager complimented Mr.

Gerry Murphy, A/Head of Finance on the very comprehensive report that he had prepared.

### Annual Financial Statement 2004 - Over-expenditure Resolution

Sub Programmes	Budget	Out-turn	Variance
<b>Main Reason(s)</b>			
1.1 Local Authority Housing	1,467,500	1,671,154.39	-203,654.39
Additional expenditure for reletting repairs and the provision of cookers funded from capital.			
1.3 Assistance to Persons Improving Houses	1,865,112	2,686,264.44	-821,152.44
Additional expenditure on Disabled Persons and Essential Repair Grants funded from capital.			
2.3 Road Traffic	234,300	308,460.46	- 74,160.46
Funded by additional receipts from parking charges.			
2.8 Administration & Miscellaneous	4,955,995	5,207,570.50	-251,575.50
Additional pension and lump sum payments.			
3.2 Public Sewerage Scheme	1,215,000	1,347,446.02	-132,446.02
15,245.73 Ballyroan Sewerage funded by D.E.H.L.G. grant.			
Balance from savings on water supply schemes.			
3.8 Admin/Misc-Water Sewerage	1,612,567	1,839,253.76	-226,686.76
118,264.10 for additional pension and lump sum payments;			
20,763.44 Insurances; 67,883.37 Agency(Contra);			
4.1 Land Use and Planning	1,330,610	1,393,076.61	- 62,466.61
57,654.93 for planning studies funded by capital.			
Balance funded from additional planning fee receipts.			
4.6 Town Twinning	500	850.00	- 350.00
4.8 Admin/Misc- Development	483,400	493,668.55	- 10,268.55
Additional pension and lump sum payments.			
5.1 Waste Disposal	3,353,331	3,654,789.04	-301,458.04
101,382.30 landfill levy 2003;			
Balance funded by additional landfill receipts and grant from D.E.H.L.G..			
5.3 Safety of Structures and Places	117,087	142,663.26	- 25,576.26
Civil Defence (Contra).			
5.4 Fire Protection	2,530,000	2,595,520.87	- 65,520.87
Fire Services - provision for doubtful debts.			
5.5 Pollution Control	208,825	210,585.78	- 1,760.78
6.1 Swimming Pools	159,902	162,424.94	- 2,522.94
Loan for Ballinakill Swimming Pool paid off at year end.			
6.2 Libraries	1,134,500	1,145,174.46	- 10,674.46
Library Operation.			
6.3 Parks, Open Spaces, Recreation Centres	258,000	260,820.20	- 2,820.20
Sports Forum (Contra).			
6.4 Other Recreation and Amenity	719,500	843,004.72	-123,504.72
Laois School of Music (Contra)			
7.2 Education	2,361,722	3,030,043.92	-668,321.92
Higher Education Grants and Superannuation V.E.C. (Contra)			
7.8 Admin/Misc-Agric, Education, Welfare	297,004	373,058.74	- 76,054.74
Central Management Charge			
8.4 Elections	56,000	88,090.85	- 32,090.85
Local Elections.			



8.8	Admin of Justice & Consumer Protection Food Safety Authority (Contra).	366,440	425,907.32 - 59,467.32
8.9	Expenses of Members and Conferences Funded by savings on foreign travel	257,500	272,922.73 - 15,422.73

### Annual Financial Statement 2004 - Transfers to Capital

2.3	Parking Charges	147,225.47	Fund Provision
2.8	Motor Taxation	11,118.15	Works to be carried out in 2005.
4.1	Building Control	50,000.00	Fund Provision
4.1	Development Plan	20,719.76	Fund Provision
4.3	Tourist Promotion	11,411.00	Works to be carried out in 2005.
5.1	Recycling Composting Facility and Civic Amenity Site, Kyletalesha	26,000.00	To fund Green Waste
5.2	Burial Grounds Camross, Clonaslee and Killenard	65,500.00	To fund capital works at
5.4	Fire Gratuities	32,130.50	Fund Provision
6.1	Swimming Pools	111,363.05	Fund Provision
6.4	Heritage	12,000.00	Part of 2005 budget.
6.4	Laois School of Music	50,469.23	Part of 2005 budget.
6.4	Writer in Residence	20,757.00	Part of 2005 budget.
8.8	County Hall Chontae, Portlaoise.	100,000.00	To fund extension to Aras an
8.8	Computer Services	12,700.00	To fund Y2K Capital Balance
8.8	Historical Mortgage Funding Surplus Defence building repairs and the transfer of demountable offices	46,930.31	To fund Broadband, Mountmellick Civil to Stradbally.
Misc	Superannuation	159,435.07	Fund Provision

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

- (a) On the proposal of Councillor Ray Cribbin seconded by Councillor Martin Phelan, the Members unanimously agreed to the disposal of 0.1 acres of land at Knockheel, Rathdowney in the townland of Knockheel, Dublin 24.
- (b) On the proposal of Councillor John Joe Fennelly seconded by Councillor James Daly, the Members unanimously agreed to the disposal of equity part of shared ownership loan no. 610053/F at 54 Thornberry, Abbeyleix
- (c) On the proposal of Councillor Ray Cribbin seconded by Councillor Paul Mitchell, the Members unanimously agreed to the disposal of equity part of shared ownership loan no. 610093/F at 13 Foxcroft Avenue, Portarlinton.
- (d) On the proposal of Councillor Martin Phelan seconded by Councillor James Daly, the Members unanimously agreed to the disposal of property at Rahin, Ballylinan.

- (e) On the proposition of Councillor Patrick Bracken seconded by Councillor Seamus McDonald, the Members unanimously agreed to the disposal of 11 acres of land at Irishtown, Mountmellick to Councillor John Bonham proposed that Laois County Council dispose of 16.56 acres of land at Durrow, Co Laois, Athenry, Co. Galway.

Councillor Martin Phelan proposed that consideration of this item be deferred to the May Meeting of Laois County Council. This proposal was seconded by Councillor Brendan Phelan. A roll call vote was taken in relation to the proposal to defer the matter to the May Meeting of the Council which resulted as follows:-

COUNCILLOR	FOR	Against	Absent
Name			
William Aird	√		
John Bonham		√	
Patrick Bracken		√	
Raymond Cribbin		√	
James Daly	√		
James Deegan		√	
Bill Delaney		√	
John Joe Fennelly		√	
Catherine Fitzgerald	√		
David Goodwin	√		
Thomas Jacob	√		
Larry Kavanagh	√		
Michael Lalor	√		
Jeremiah Lodge		√	
Seamus McDonald		√	
Michael Moloney		Abstain	
Dick Miller	√		
Paul Mitchell	√		
John Moran	√		
Brendan Phelan	√		
Martin Phelan	√		

Michael Rice	√		
Brian Stanley	√		
Mary Sweeney	√		
John D. Turley	√		
<b>TOTAL</b>	16	8	

This proposal was carried with 16 votes for the proposal and 8 votes against.

It was agreed that a meeting would be arranged at which the Area Councillors would have an opportunity to discuss their concerns with Mr. Louis Brennan, Director of Services.

**73. COMPLETION OF A MORTGAGE AGREEMENT BETWEEN LAOIS COUNTY COUNCIL AND SIMON COMMUNITIES OF IRELAND, 28 - 30 EXCHEQUER STREET, DUBLIN 2**

On the proposition of Councillor Michael Moloney seconded by Councillor Brian Stanley, the members unanimously agreed to the completion of a mortgage agreement between Laois County Council and Simon Communities of Ireland, 28 - 30 Exchequer Street, Dublin 2 for an amount not exceeding €102,253 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the purchase of a house at 110 Hillview Drive, Portlaoise, Co. Laois.

Ms. Anna Marie Delaney briefed the Members on this item. A discussion ensued regarding the provision of voluntary and social housing. The County Manager indicated that Laois County Council is fulfilling its responsibilities and that Laois County Council has an excellent record as a housing authority.

**74. FRAMEWORK FOR LAOIS ARTS PLAN 2006 - 2011**

The Members were circulated with the four strategies of the Laois Arts Plan for 2006 - 2011. Ms. Muireann Ní Chonail, Arts Officer briefed the Members on the strategies and indicated that Laois County Council will endeavour to maximise participation in and access to the widest range of experiences within the written, performing and visual arts for the people of Laois, in accordance with the highest standards of excellence.

The Cathaoirleach paid tribute to the Arts Officer and the employees in the Arts Office on the proposals. The Cathaoirleach also expressed thanks to the V.E.C. and

the Arts Council for their contribution and input to the development of the Laois Music School.

Councillor John Joe Fennelly requested that Irish Public Bodies Mutual Insurances be written to regarding the possibility of the waiving the insurance charges for St. Patrick's Day Parades. It was agreed that Councillor Jerry Lodge would arrange a meeting with I.P.B.M.I. and that if such a meeting is convened that Councillor John Joe Fennelly should be in attendance.

The Cathaoirleach proposed that a vote of thanks be extended to James & Angela McKeon on their outstanding contribution to the arts in County Laois.

## 75. COMMUNITY INVOLVEMENT IN ROADWORKS SCHEME 2005

The Members were advised that an allocation of €220,000 had been made available for Community Involvement Schemes this year. Thirteen applications had been submitted for consideration. The following is a list of the applications received from individuals in rural areas in order of cost per beneficiary.

	Electoral	Year of	Applicant	Total	Local	Grant
	Area	Application		Cost	Contribution	Amount
				€	€	€
1	Borris-in-Ossory	2005	Tim Dooley,	€18,009	€4,502.25	€13,506.75
			Butterisland,			
			Coolrain.			
2	Borris-in-Ossory	2004	Sheila Shirley,	€22,344	€5,586.00	€16,758
			Kyletillogue,			
			Ballacolla			
3	Borris-in-Ossory	2005	Michael Farrell,	€25,515	€6,378.75	€19,136.25
			Mountfade,			
			Mountrath.			
4	Borris-in-Ossory	2005	Patrick Collier,	€61,641	€15,410.25	€46,230.75
			Rosnacreena,			

			Camross			
	<b>TOTAL</b>					<b>€95,631.75</b>

In accordance with the conditions laid down by the Department, it is proposed to carry out the schemes numbered 1 - 4 listed in table 1, which leaves a balance of €124,368.25 remaining. A further sum of €44,000 is available from housing this year to carry out works on housing estates. This results in a total of €168,368.25 being available.

The following applications were received from Housing estates.

	<b>Electoral Area</b>	<b>Year of Application</b>	<b>Applicant</b>	<b>Total Cost</b>	<b>Local Contribution</b>	<b>Grant Amount</b>
				€	€	€
1	Portlaoise	2005	St. John's Square, Portlaoise	€13,000	€3,250	€9,750
2	Borris-in-Ossory	2005	St. Canice's Tce., Borris-in-Ossory	€17,644	€4,411	€13,233
3	Luggacurren	2005	Stradbally Road, Timahoe	€11,760	€2,940	€8,820
4	Borris-in-Ossory	2004	Geraldine Moore, Gurteen, Fr. O'Connor Cres Mountrath	€53,000	€13,250	€39,750
5	Borris-in-Ossory	2005	Erkindale Drive, Durrow	€52,800	€13,200	€39,600
6	Borris-in-Ossory	2005	St. Fergal's Park, Ballacolla	€21,375	€5,343.75	€16,031.25
7	Borris-in-Ossory	2005	St. Brigid's Drive,	€17,500	€4,375	€13,125

			Ballinakill			
8	Portlaoise	2005	Marian Ave. Portlaoise	€37,196	€9,299	€27,897
9	Mountmellick	2005	Pattison Est. & Twomey Park, Mountmellick	€300,000	€75,000	€225,000
	<b>TOTAL</b>			<b>€524,275</b>		

Given that the available sum of €168,368.25, was not sufficient to fund the carrying out of all the schemes listed in table 2 it was recommended that Schemes 1 - 6 would be carried out this year. It was further recommended that Schemes 7 - 9 should be kept on file and that they be considered further when the 2006 allocation has been advised to the Council. The programme was welcomed by the Members

On the proposition of Councillor Michael Lalor seconded by Catherine Fitzgerald, the Members unanimously agreed to adopt the Community Involvement in Roadworks Scheme 2005 as submitted to them.

## 76. DRAFT ANNUAL REPORT 2004

The Members were circulated with the draft Annual Report for 2004. They were advised that it was their wish to make any amendments or submissions in relation to it that they could do so within the next two weeks. Arrangements would then be made for the formal translation into Irish of the document in accordance with the provisions of the Official Languages Act, 2003. The Members were further advised that it was intended that the finalized Annual Report in both Irish and English would be presented to the Members for adoption at the June meeting of Laois County Council as required by the Local Government Act, 2001

The Corporate Plan for 2004 - 2009 together with details in relation to Laois County Councils performance in relation to the 42 National Service Indicators was also circulated to Members.

## 77. CORRESPONDENCE

The following items of correspondence were read to the members by Mr. Gerry Gillen, Senior Executive Officer, Corporate Affairs

- (1) Correspondence received from the Health Service Executive dated the 22<sup>nd</sup> of April 2005 in response to the recent request for clarification to be provided regarding land at St. Fintan's, Portlaoise. The letter indicated that the Health Services Executive Midland Area had agreed in principle to transfer two acres of land at St. Fintan's to Laois Housing Committee in order to facilitate the building of houses for people with Intellectual Disabilities. The Health Services Executive Midland Area have forwarded the relevant documentation to the Board of the HSE for their approval as it is the Board that must make the final decision regarding the disposal of property in such circumstances. The letter indicated that it was hoped that the matter would be resolved as soon as possible.
- (2) The Department of the Environment, Heritage and Local Government has verbally confirmed that they are consulting with the Department of Agriculture and Food in relation to the burning of bushes. Pending a response it has been agreed that farmers should follow the advice of Teagasc in relation to the burning of bushes
- (3) The N.R.A. have indicated that two representatives from the N.R.A. will attend the May meeting of the Council to answer questions on issues relating to motorway projects, signage provision and tolling proposals
- (4) Correspondence dated the 19<sup>th</sup> of April 2005 received from the Department of Arts, Sports & Tourism was circulated to the Members in relation to a response to a Notice of Motion regarding a list of swimming pools which had been approved for grant aid this year

## **78. ELECTRONIC MAIL/USE OF LAPTOPS**

Mr. Gerry Gillen, Senior Executive Officer advised that the agenda for the next Council meeting would be sent both in the usual format and also in electronic format. He requested that members bring their laptops to the next Council meeting.

## **79. NOTICE OF MOTIONS**

### **Notice of Motion No: 14/05**

Councillors Martin Phelan, Seamus McDonald & James Daly proposed the following Notice of Motion:

*"That this Council deploras the democratic deficit that has arisen in the delivery of health services since the abolition of the Health Boards and calls on Minister Harney to bring forward without delay proposals for engaging local elected members with the new Health Services Executive"*

This motion was seconded by Councillor John Joe Fennelly. It was agreed that the matter be referred to Minister Harney

#### **Notice of Motion No: 15/05**

Councillor Brian Stanley proposed the following Notice of Motion:

*"That this Council ensures that in so far as possible companies it awards contracts to, or purchases significant amounts of goods and services from are treating all members of their workforce equally, regardless of their race or gender and as a basic requirement that they pay at least the minimum wage"*

This motion was seconded by Councillor Larry Kavanagh. The Members were advised that Laois County Council agrees with the terms and spirit of this motion.

#### **Notice of Motion No: 16/05**

Councillor Michael Moloney proposed the following Notice of Motion:

*"That clarification be given to the members of Laois County Council in relation to the holding of ceremonies in Council owned graveyards"*

This motion was seconded by Councillor Jerry Lodge

It was agreed to refer this matter to the relevant Strategic Policy Committee with a view to developing a policy document which might address the concerns that had been raised.

#### **Notice of Motion No: 17/05**

Councillor Paul Mitchell proposed the following Notice of Motion:-



*"That this Council consider the possibility of not using fluoride in our water supply"*

This motion was seconded by Councillor Brian Stanley. The fluoridation of drinking waters arises under the Health (Fluoridation of Water Supplies) Act, 1960. This legislation and regulations arising from the legislation requires Local Authorities to Fluoridate the drinking waters of nominated supplies. The nominated supplies in Laois are Portlaoise, Abbeyleix, Mountrath, Mountmellick, Rathdowney and Portarlinton. The fluoridation of these supplies is not optional for Laois County Council. A forum, set up by the Minister for Health Michael Martin, to review the fluoridation of Public Water Supplies reported in 2002. The conclusions reached by the forum where that the fluoridation of drinking water was very effective in improving oral health and was not detrimental to general health. A copy of this report is available in the Water Services Section.

As a result of the clarification that had been provided it was agreed that the motion could not be adopted.

**Notice of Motion No: 18/05**

Councillor James Deegan proposed the following Notice of Motion

*"That Laois County Council insist that the National Roads Authority fully reinstate all service roads damaged during construction of the M7 Motorway"*

This motion was seconded by Councillor Martin Phelan

This concluded the business of the meeting.

**Signed:**

\_\_\_\_\_ **Cathaoirleach**

\_\_\_\_\_ **Director of Corporate Affairs**