

**MINUTES OF JUNE MEETING OF LAOIS COUNTY COUNCIL HELD ON THE  
27<sup>th</sup> of JUNE 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 Catherine Fitzgerald Larry Kavanagh Jerry Lodge Michael Moloney Paul Mitchell Brendan Phelan Brian Stanley John D. Turley	Patrick Bracken James Daly Bill Delaney David Goodwin Thomas Jacob Michael Lalor Seamus McDonald Dick Miller John Moran Martin Phelan Mary Sweeney
<b>APOLOGIES:</b>	Councillor	Michael Rice	

**IN ATTENDANCE:**

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

**96. CONFIRMATION OF MINUTES**

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

**97. VOTE OF CONGRATULATIONS**

- (a) On the proposition of the Cathaoirleach, Councillor William Aird, it was unanimously agreed that a vote of congratulations be extended to the following employees of Laois County Council who will be retiring over the coming weeks:
- Mr. Mick Fogarty, Foreman, Machinery Yard
  - Mr. Patrick Ging, General Services Supervisor
  - Mr. Sean Mullins, Senior Engineer

The members individually and collectively wished the employees every happiness in their retirement.

- (b) A vote of congratulations was extended to Ms. Angela McEvoy, Senior Executive Planner on her promotion to Cavan County Council.
- (c) On the proposition of the Cathaoirleach, Councillor William Aird, it was unanimously agreed that a vote of congratulations be extended to the Laois Senior Football Team on progressing to the Leinster Final
- (d) The Cathaoirleach expressed satisfaction with the news of the grant for Portlaoise & Portarlinton Swimming Pools. The Cathaoirleach, William Aird was congratulated on his contribution to the swimming pool projects. It was agreed that a letter would issue to the Minister expressing the appreciation of Laois County Council in relation to the funding of these projects. Tribute was also paid to Mr. Michael Costello, former member of Laois County Council for his contribution to the Portarlinton Swimming Pool Project.

## **98. APPROVAL TO THE RAISING OF LOANS**

- (a) On the proposition of Councillor Ray Cribbin seconded by Councillor Paul Mitchell, members unanimously agreed to the raising of a loan not exceeding €278,400 from the Housing Finance Agency Plc., in respect of the issuing of mortgage finance for two housing units at Ballymorris, Portarlinton under the Affordable Housing Scheme
- (b) On the proposition of Councillor Michael Lalor seconded by Councillor Larry Kavanagh, members unanimously agreed to the raising of a loan not exceeding €436,145 from the Housing Finance Agency Plc., in respect of the issuing of mortgage finance for four housing units at Slieve Bloom View, Borris-in-Ossory under the Affordable Housing Scheme
- (c) On the proposition of Councillor Tom Jacob seconded by Councillor Brian Stanley, members unanimously agreed to the raising of a loan not exceeding €568,715 from the Housing Finance Agency Plc., in respect of the issuing of mortgage finance for four housing units at Lake Edge, Kilminchy, Portlaoise under the Affordable Housing Scheme
- (d) On the proposition of Councillor Larry Kavanagh seconded by Councillor Tom Jacob, members unanimously agreed to the raising of a loan not exceeding €4 million from the Housing Finance Agency Plc., which would facilitate the drawing down of funds for the advancing of shared ownership loans, house purchase loans, house improvement loans and caravan loans. These funds may also be required for the purposes of buying land for housing as opportunities arise

- (e) On the proposition of Councillor Tom Jacob seconded by Councillor David Goodwin, members unanimously agreed to the completion of 4 mortgage agreements between Laois County Council and Simon Communities of Ireland, 28 - 30 Exchequer Street, Dublin 2 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 in respect of houses located at Lakeglen and Castle Avenue, Kilminchy and in respect of two apartments at Fieldbrook.

Councillor William Aird, Cathaoirleach paid tribute to the staff of the Housing Department and the Senior Social Worker for their tireless efforts in bringing these projects to fruition.

#### **99. REPORT ON SPC MEETINGS & AREA MEETINGS HELD IN JUNE 2005**

Members were circulated with reports on SPC Meetings & Area Meetings held in June 2005 and these reports were noted

#### **100. UPDATE FROM MANAGER IN RELATION TO THE RECRUITMENT OF OUTDOOR EMPLOYEES IN EACH OF THE THREE ENGINEERING AREAS**

The Cathaoirleach, Councillor William Aird indicated that this item had been raised at a number of recently held Area Meetings. The County Manager indicated that Laois County Council would be carrying out an overall review of the numbers of employees in each of the three engineering areas and a further update in this regard would be provided to the Members in due course.

#### **101. UPDATE IN RELATION TO THE PROVISION OF A PEDESTRIAN CROSSING AT CLONASLEE**

Ms. Mary White, A/Director of Services indicated that no provision had been made in the 2005 programme of works for the provision of a pedestrian crossing at this location but that it will be considered for inclusion in the 2006 programme subject to funding being made available. Councillor David Goodwin proposed that additional specific funding be sought for the provision of the pedestrian crossing. This proposal was seconded by Councillor Seamus McDonald.

#### **102. UPDATE IN RELATION TO THE PROPOSALS FOR THE DEVELOPMENT OF LANDS IN THE OWNERSHIP OF LAOIS COUNTY COUNCIL AT GOLF LINKS ROAD AT RATHDOWNEY**

Mr. Declan Byrne, Director of Services indicated that Laois County Council is currently preparing layouts in relation to these lands and that a Part VIII proposal would, he hoped, be brought before the Council for approval in the Autumn.

### **103. ERECTION OF SIGNS - N.R.A.**

Ms. Mary White, A/Director of Services indicated that the N.R.A. have agreed to erect signs for Emo and The Heath on the motorway. These signs are being designed at present and should be ordered before the middle of July. Councillor James Deegan proposed that a sign for Stradbally be included at Bloomfield Cross on the N80. It was also suggested that a representative from Laois County Council should be on the Sign Evaluation Consultation Committee for the M7/M8.

Councillor Paul Mitchell requested that signs be erected for Portarlinton at Monasterevin. Ms. Mary White, A/Director of Services indicated that she would contact Kildare County Council regarding the provision of such a sign. Ms. Mary White would update the members at the July meeting of the Council in relation to progress on this matter.

It was agreed that members of the Council should submit proposals in relation to where they consider there is a need to provide signs on the M7/M8. These proposals would, when received, be submitted to the N.R.A. for consideration and evaluation by it.

### **104. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 2001**

#### **(1) Abbeyleix Fire Station**

The members were circulated with the relevant planning report in relation to the proposed development. The proposed development comprises of a new two bay fire station and parking facilities for the crew, a training tower and a drill yard at Dublin Road, Rathmoyle, Abbeyleix, Co. Laois. This site is located to the north of Abbeyleix on land to the east of the N8, National Primary Route.

On the proposition of Councillor John Bonham seconded by Councillor Martin Phelan, the Members unanimously agreed to proceed with the proposed development.

It was noted that temporary accommodation for the Abbeyleix Fire Station would need to be sought while the Market House is being renovated.

Mr. John Daly, Director of Services indicated that it was his hope to be in a position to seek tenders towards the end of the year or early in 2006 in respect of this proposed development.

**(2) Togher Link Road**

On the proposition of Councillor William Aird seconded by Councillor Mary Sweeney, the Members unanimously agreed that consideration of this matter should be deferred to the July Meeting of Laois County Council

**(3) Construction of 40 No. Social Houses consisting of 30 No. 3 bed semi-detached two storey units; 10 No. 2 bed semi-detached two storey units with associated site development works (revision of layout and house types of previously granted planning permission ref: no: 00/240) at Ballycullenbeg, Mountmellick in the townland of Ballycullenbeg**

The members were circulated with the relevant planning report in relation to the proposed development. The proposed development comprises of a residential development in the townland of Ballycullenbeg, Mountmellick. This proposal relates to the revision of the layout and house types as previously approved under Planning Permission Ref No: 00/240

On the proposition of Councillor Michael Moloney seconded by Councillor David Goodwin, the Members unanimously agreed to proceed with the proposed development.

Councillor Michael Moloney indicated that a cultural centre should be provided at this location. Mr. Declan Byrne, Director of Services stated that the merits of this proposal would be examined.

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

On the proposition of Councillor Brian Stanley seconded by Councillor Mary Sweeney, the Members unanimously agreed to the disposal of 4.18 acres at Colliers Lane, Portlaoise in the townland of Ballyroan to 1 Birch Grove, Birchwood, Killure, Waterford for a consideration of €321,507.

Concern was expressed in relation to the design of the proposed houses. On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Mary Sweeney, the Members unanimously agreed that a letter would issue to the General Council of County Councils requesting their support to have the policy changed in relation to house designs and also seeking the support from other County Councils in this regard.

**106. OVERDRAFT ACCOMMODATION IN THE SUM OF €10 MILLION FOR THE HALF YEAR ENDED 31<sup>ST</sup> DECEMBER 2005**

On the proposition of Councillor Martin Phelan seconded by Councillor Michael Lalor, the members unanimously agreed to the seeking of Overdraft Accommodation in the sum of €10 million for the half year ended 31<sup>st</sup> December 2005

**107. HIGHER EDUCATION GRANT SCHEME 2005/2006**

Members were circulated with the details in relation to the 2005 Higher Education Grant Scheme.

On the proposition of Councillor John Bonham seconded by Councillor James Daly, the Members unanimously endorsed the Higher Education Grants Scheme 2005. Councillor Larry Kavanagh raised a query as to why Farm Income Supplement payments are not excluded in the calculation of reckonable income. It was agreed that a letter would issue to the Department of Education & Science seeking clarification in this regard.

Members also requested that they be given a copy of figures relating to the income limits. It was agreed that these details would be forward to the Members electronically.

**108. DRAFT ANTI-SOCIAL BEHAVIOUR POLICY**

The members were circulated with a copy of the Draft Anti-Social Behaviour Policy document. Councillor Brian Stanley, as Chairperson of the Housing, Social & Cultural Strategic Policy Committee briefed the members on the process that had been followed in the preparation of the draft policy document.

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Moran, the Members unanimously agreed to adopt the draft Anti-Social Behaviour Policy. Members welcomed the document and Mr. Declan Byrne, Director of Services acknowledged the contribution of the members and the members of the Housing, Social & Cultural Strategic Policy Committee in preparing the policy document.

**109. COUNTY PLAY STRATEGY**

The members were circulated with a copy of the Draft County Play Strategy. Ms. Anne Marie Maher, Sports & Leisure Officer briefed members on this item.

On the proposition of Councillor William Aird seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to adopt the Draft County Play Strategy. Members welcomed the document and thanked Ms. Anne Marie Maher and the staff of the Sport & Leisure Section for their input in the drafting of this policy document.

#### **110. DRAFT PLACE NAMES POLICY**

The members were circulated with a copy of the draft Place Names Policy document.

On the proposition of Councillor John Bonham seconded by Councillor Patrick Bracken, the Members unanimously agreed to adopt the draft Place Names Policy. Some concerns were expressed regarding the naming of the older estates in the County. It was suggested that a committee be set up for the naming of estates. It was also agreed that this item should be included on the agenda for the next Area Meetings in September.

#### **111. REPORT FROM ECONOMIC DEVELOPMENT & COUNTY PROMOTION STRATEGIC POLICY COMMITTEE ON SIGNAGE**

Members were circulated with a report on this item which emanated from the Economic Development & County Promotion Strategic Policy Committee.

On the proposition of John Bonham seconded by Councillor Michael Lalor, the following resolution was passed:-

"That Laois County Council make representations to the Department of Environment Heritage & Local Government to the effect that Statutory Instrument No. 600 of 2001 be amended to enable each Local Authority determine the range and rates of charge for local signage with particular reference to tourism activities".

It was also agreed that the G.C.C.C. & L.A.M.A. representatives from Laois County Council should bring this matter to the attention of those organisations.

#### **112. TAKING IN CHARGE OF STATION GROVE, PORTARLINGTON**

On the proposition of Councillor Paul Mitchell seconded by Councillor Jerry Lodge, the Members unanimously agreed to the Taking in Charge of Station Grove, Portarlington

### **113. ILLEGAL DUMPING/LITTERING POLICY DOCUMENT AS RECOMMENDED BY THE ENVIRONMENT & WATER SERVICES STRATEGIC POLICY COMMITTEE**

Members were circulated with the above mentioned document which had been approved by the Strategic Policy Committee. On the proposition of Councillor Dick Miller seconded by Councillor Jerry Lodge, the Members unanimously agreed to adopt the policy document on Illegal Dumping/Littering.

### **114. PROVISION OF SEWERAGE SCHEMES IN VILLAGES**

Members were circulated with the draft Policy Document on the Provision of Sewerage Schemes in Villages which had been approved by the Strategic Policy Committee. On the proposition of Michael Lalor seconded by Councillor Martin Phelan, the Members unanimously agreed to adopt the Policy Document on the Provision of Sewerage Schemes in Villages.

On the proposition of Councillor Dick Miller and seconded by Councillor Michael Lalor, it was agreed to write to the Department of the Environment to request that separate funding for the provision of sewerage schemes in villages be provided to Laois County Council.

### **115. LAUNCH OF ANNUAL REPORT 2004**

Members were circulated with a copy of the Annual Report for 2004 and were informed that in accordance with Section 221 (1) (a) of the Local Government Act, 2001 that each Local Authority is required to prepare and adopt it's Annual Report by no later than 30<sup>th</sup> of June in each year.

On the proposition of Councillor James Daly seconded by Councillor Paul Mitchell, the Members agreed to adopt Annual Report for 2004. The members paid tribute to all employees involved in the preparation of the report.

### **116. LOCAL IMPROVEMENT SCHEMES 2005**

Members were circulated with the draft proposals for the carrying out of Local Improvement Schemes in 2005. On the proposition of Councillor Seamus McDonald seconded by Councillor Bill Delaney, the Members unanimously agreed to adopt the proposals for the carrying out of the Local Improvement Schemes for 2005 as circulated. Councillor Michael Lalor proposed that all projects included on the list be completed before further applications are considered. This proposal was seconded by Councillor John Bonham. Members expressed concern regarding the inadequate funding for the Local Improvement Schemes and the proposal of Councillor Michael Lalor was not opposed.



#### **117. PRESENTATION OF COUNTY MANAGER'S REPORT ON DRAFT COUNTY DEVELOPMENT PLAN**

Members were circulated with a copy of the County Manager's Report relating to submissions received during the public consultation period in respect of the draft Laois County Development Plan. It was agreed that a series of information meetings would be arranged in order to afford the members ample opportunities to fully consider the report of the Manager.

#### **118. FIXING OF DATE FOR SPECIAL MEETING TO DISCUSS COUNTY MANAGER'S REPORT ON COUNTY DEVELOPMENT PLAN**

Members agreed that an initial meeting would take place at 10.30 a.m. on the 11<sup>th</sup> of July 2005 in the Council Chamber and that further arrangements would be made to facilitate the full consideration of the report in due course.

#### **119. CORRESPONDENCE**

There was no correspondence to be brought to the attention of members. However, with the permission of the Cathaoirleach, the following two items were raised:

##### **PLASTIC TUNNELS**

Councillor Bill Delaney raised the item of 'plastic tunnels' and in particular a concern that he had in relation to the possibility that a development levy of €15,000 would apply in respect of the erection of a tunnel for even a period of two to three weeks. Mr. Peter Dolan, Senior Planner indicated that the charges that apply are set out in the adopted Development Contribution Scheme as being €2.50 per square metre. The planning regulations require that planning permission is necessary for the erection of tunnels. It was requested that this matter be taken up with the Department of the Environment & Local Government

##### **COURTHOUSES**

Councillor James Deegan raised the item of 'Courthouses' and future plans for the use of Courthouses. The matter had been raised at the Emo Area Meeting held on the 3<sup>rd</sup> of June 2005.

The County Manager indicated that the Management Team are currently carrying out a review of office accommodation and that an update would be given to the Members when this review has been completed.

## 120. NOTICE OF MOTIONS

### Notice of Motion No: 26/05

Councillor Martin Phelan proposed the following Notice of Motion:-

*"That this Council elect a special ad hoc committee to meet with Council officials and N.R.A. during construction of the proposed N7/N8"*

This motion was seconded by Councillor James Daly. As part of the construction of the N7/N8 which will be a Public Private Partnership Project, it was agreed that a standing item should be included on the Borris-in-Ossory Area Meeting agenda relating to the construction of the motorway and that this would address the concerns that the members had.

### Notice of Motion No: 27/05

Councillor Michael Moloney proposed the following Notice of Motion:-

*"That Laois County Council consider organising a County Fair to be held in the County to showcase Laois tourism, employment possibilities in the County and products and produce originating in the County"*

This motion was seconded by Councillor Larry Kavanagh. Mr. Ian McCormack, A/Director of Services indicated that Laois County Council is keenly aware of the benefits which accrue to the County from the National Country Fair. Similar benefits could not be obtained from a County based event. It was agreed that the issue would be examined in the context of integrating such an activity with existing or other festivals in the County

### Notice of Motion No: 28/05

Councillor Michael Moloney proposed the following Notice of Motion:-

*"That the members of Laois County Council be informed of all the costs related to the production and circulation of the 'Our County' production"*

This motion was seconded by Councillor Martin Phelan.

A report had been prepared in relation to this Notice of Motion. It stated that for many years now, Laois County Council has a policy of promoting it's role, functions and activities in order to enhance our role and relationships with customers, citizens and communities. An activity undertaken in this regard is the annual publication of 'Our County'. The last edition of Our County was published and circulated in December 2004. At that time, a total of 23,000 copies were produced and the following were the direct costs incurred in the production of same:

Design Costs and preparatory work for printers	€2,722.50
Printing	€5,203.00
Distribution costs through local papers	€2,668.05
Courier costs	€408.79
<b>Total Costs</b>	<b>€11,002.34</b>

Practically all of the articles which are included in publications of this nature are produced by employees in their own time outside of normal working hours and are not included in the costs.

### **Notice of Motion No: 29/05**

Councillor Michael Moloney proposed the following Notice of Motion:-

*"That consideration be give to drawing up a policy document that would provide for the operation of a clawback clause in respect of Disabled Persons Grants where properties that have been improved with the aid of a grant are being disposed of"*

This motion was seconded by Councillor Michael Lalor

Ms. Anna Marie Delaney, Senior Executive Officer informed the Members that she had spoken to Mr. John Laffan, Department of the Environment & Local Government regarding inserting a 'claw back' clause into the Disabled Persons Grant Scheme. He has advised that there is nothing in primary legislation to specifically provide for this and that to do so would be legally dubious. There is an ongoing review of the scheme by the Department which it is hoped will be concluded by the end of this year. It was agreed that the scheme should not be reviewed until the new D.O.E. guidelines issue.

### **Notice of Motion No: 30/05**

Councillor Brian Stanley proposed the following Notice of Motion:-

*"That this Council call on the Minister for the Environment & Local Government to review the terms of the Tenant Purchase Scheme and extend the present period of ten years for which discount is granted, in order to facilitate older long term tenants"*

This motion was proposed by Councillor William Aird.

It was agreed that the Tenant Purchase Scheme should be reviewed. Ms. Anna Marie Delaney indicated that she would prepare a report for the Members in relation to this matter and would present it to the members in due course.

## 121. ATTENDANCE AT CONFERENCES

On the proposition of Councillor John Bonham seconded by Councillor Michael Lalor, the attendance of members at the following conferences was ratified:-

<u>Conference Details</u>	<u>Attendees</u>
<i>The Local Government Planning Service, 3<sup>d</sup> &amp; 4<sup>th</sup> February 2005, The Clonea Strand Hotel</i>	<i>Councillor Paul Mitchell</i>
<i>General County of County Councils Annual Conferences 2005, 3<sup>d</sup>, 4<sup>th</sup> &amp; 5<sup>th</sup> March 2005, Co.Meath</i>	<i>Councillor James Daly Councillor Martin Phelan Councillor Seamus McDonald Councillor Michael Lalor</i>
<i>4<sup>th</sup> Annual Clonmel Conference, Slievenamon Golf Club, 4<sup>th</sup> - 5<sup>th</sup> March 2005</i>	<i>Councillor Larry Kavanagh</i>
<i>International Womens Day Seminar, 8<sup>th</sup> March 2005, Mansion House Dublin</i>	<i>Councillor Mary Sweeney</i>
<i>Cork City Library, 10<sup>th</sup> - 11<sup>th</sup> March 2005, Cork</i>	<i>Councillor Jerry Lodge</i>
<i>Galway International Genealogical Conference, 19<sup>th</sup>- 20<sup>th</sup> March 2005, Oranmore Hotel, Galway</i>	<i>Councillor Ray Cribbin</i>
<i>L.A.M.A., Rochestown Park Hotel, Cork - 31<sup>st</sup> March &amp; 1<sup>st</sup> April 2005</i>	<i>Councillor David Goodwin Councillor Lorry Kavanagh Councillor James Deegan Councillor Martin Phelan Councillor John Bonham Councillor James Daly Councillor John Moran Councillor Catherine Fitzgerald Councillor Mary Sweeney</i>
<i>Annual Mayor's Conference, Bantry, Cork, 14<sup>th</sup> - 15<sup>th</sup> April 2005,</i>	<i>Councillor Tom Jacob Councillor Brian Stanley</i>
<i>Tipperary Peace Convention, Tipperary Town, 15<sup>th</sup> - 17<sup>th</sup> April 2005,</i>	<i>Councillor Jerry Lodge Councillor Larry Kavanagh</i>
<i>The Duhallow Conference, Kanturk, 21<sup>st</sup> - 24<sup>th</sup> April 2005,</i>	<i>Councillor J. J. Fennelly Councillor Michael Rice Councillor David Goodwin Councillor John Moran Councillor Mary Sweeney Councillor Tom Jacob Councillor Catherine Fitzgerald Councillor Brendan Phelan</i>

This concluded the business of the meeting.

Signed:

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Cathaoirleach

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Director of Corporate Affairs

