

**MINUTES OF JUNE MEETING OF THE COUNCIL HELD ON THE 28th OF
JUNE 2004 IN ÁRAS AN CHONTAE, PORTLAOISE AT 11.00 A.M.**

PRESENT: Councillor William Aird In the Chair

ALSO PRESENT: Councillors John Bonham, Paddy Bracken, Ray Cribbin, James Daly, James Deegan, Bill Delaney, John Joe Fennelly, Catherine Fitzgerald, David Goodwin, Thomas Jacob, Larry Kavanagh, Michael Lalor, Jerry Lodge, Seamus McDonald, Michael Moloney, Dick Miller, John Moran, Brendan Phelan, Martin Phelan, Michael Rice, Brian Stanley, Mary Sweeney, Michael Turley

APOLOGIES: Councillor Paul Mitchell

IN ATTENDANCE:

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

987. CONFIRMATION OF MINUTES

On the proposition of Councillor Michael Lalor seconded by Councillor John Bonham, the minutes of the May Monthly Meeting of Laois County Council were confirmed and signed.

**988. REPORT ON STRATEGIC POLICY COMMITTEE MEETINGS HELD IN
JUNE 2004 & REPORT ON JUNE AREA COMMITTEE MEETINGS OF
LAOIS COUNTY COUNCIL**

On the proposition of Councillor John Bonham seconded by Councillor John Joe Fennelly, the reports on Strategic Policy Committee Meetings & Area Committee Meetings of Laois County Council held in June were noted and agreed.

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

- (i) **R420 Re-Alignment of Hopes Bridge, Kilmullen, Portarlinton**

Members were presented with a copy of the planning report in relation to this item. It was indicated that the proposed development comprises of the re-alignment of the R420 at Hopes Bridge which is a two way single lane 60 m.p.h. regional route providing north west to south east connection between Tullamore to the north and the N7 to the south. Hopes Bridge is located on the southern most section of the R420 and has been reduced to a single lane caused by a skew road approaches to the bridge reducing forward visibility to approximately the width of the road.

The bridge causes congestion as heavy rigid articulated lorries cannot pass other vehicles on the bridge. In 2003, traffic lights were erected either side of the bridge to safely manage the flow of traffic and alleviate traffic problems. This traffic management reduces efficient transit of goods and people on the strategic regional road link between Portarlinton and the N7.

A route for the proposed re-alignment of Hopes Bridge has been selected and the Roads Authority has recommended Route 5. This involves the provision of a new bridge crossing little more than 20m to the west of the existing bridge. This route requires the least land take and causes the least potential severance of access to land and property. However, this route requires the demolition of Hopes Cottage which is currently being refurbished.

A lengthy discussion ensued during which Mr. Gerry Gibson, Director of Services responded to the various queries raised.

On the proposition of Councillor James Deegan seconded by Councillor Ray Cribbin, the members unanimously agreed to proceed with Part VIII of the Local Government (Planning & Development) Regulations, 2001 in accordance with the planning report presented to the meeting, in respect of this development.

990. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 IN RESPECT OF:-

(ii) N7 Mountrath Traffic Calming Scheme

Members were presented with a copy of the planning report in relation to this item. It was indicated that the proposed development comprises of traffic calming measures on the N7 through Mountrath town. The traffic calming will start at the 30 m.p.h. speed limit on the Castletown/Nenagh Road.

The traffic calming measures along the N7 through Mountrath are proposed to restrict vehicle speeds, provide designated 'paralell' on street parking and improve

pedestrian crossing facilities. The proposal for traffic calming involves the building out of footpaths to provide dedicated parking areas and the provision of a controlled pedestrian crossing at the Church junction on the Portlaoise Road and upgrading the existing pedestrian crossing at the convent on the Castletown Road. There is also a proposal to introduce a right turn lane at the school entrance on the Castletown road. No improvements or measures are proposed to be implemented for the town center at this stage. It is the intention of the Planning Authority to put forward to the Council an urban and village improvement scheme for the town center, under which the regulation of traffic in the center will be improved and upgraded. Plans are currently being prepared for this by CAAS Environmental Services in conjunction with the forward planning section of Laois County Council.

Members expressed their dissatisfaction regarding the scheme and expressed concern in relation to various items such as signage, traffic delays, increase in traffic volumes. In an effort to bring the matter to a conclusion, the Cathaoirleach adjourned the meeting for a period of ten minutes.

The meeting reconvened and on the proposition of Councillor John Joe Fennelly seconded by Councillor Bill Delaney, the members unanimously agreed to proceed with Part VIII of the Local Government (Planning & Development) Regulations, 2001 in accordance with the planning report presented to the meeting, in respect of this development.

991. MATERIAL CONTRAVENTION OF THE COUNTY DEVELOPMENT PLAN 2000 IN RELATION TO PLANNING REF: 03/1308 - APPLICATION FOR PERMISSION TO CONSTRUCT 121 DWELLINGS, PUMP HOUSE, PUMPING STATION AND ASSOCIATED SITE WORKS AT DUBLIN ROAD, KILMINCHY, PORTLAOISE

Members were presented with the following planning report on this item. "This planning application refers to permission to construct 121 dwellings, pump house, pumping station and associated site works at Dublin Road, Kilminchy, Portlaoise. The site was previously granted planning permission under Planning Ref: 98/542 for 60 dwellings which were mostly detached dwellings on large individual sites. The area of the site is 5.4665 ha (13.507 acres). The density of the development is 9 houses per acre. The applicant shows provision for 15.4% of open space in much the same configuration as was previously permitted. The site layout has been revised to incorporate open space for dwellings 69-91 to the front of the site thereby reducing the number of dwellings from 121 to 117 dwellings".

The members expressed their dissatisfaction with this application to materially contravene the County Development Plan. On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Brian Stanley, members unanimously agreed that the County Development Plan should not be contravened to facilitate this development.

992. MATERIAL CONTRAVENTION OF THE COUNTY DEVELOPMENT PLAN 2000 IN RELATION TO PLANNING REF: 98/542 - APPLICATION FOR PERMISSION TO ALTER PREVIOUSLY APPROVED HOUSING DEVELOPMENT TO INCLUDE AN ADDITIONAL 36 UNITS AT KILMINCHY, PORTLAOISE

Members were presented with the following planning report on this item. "This planning application refers to permission to alter previously approved housing development (98/542) to include an additional 36 units at Kilminchy, Portlaoise at Ballymooney, Kilminchy, Portlaoise.

This application is for permission to alter a previous planning permission. The applicants are Bresc Estates. The original application 98/542 was for 806 houses, 50 retirement apartments, 82 bedroom nursing home and 100 bedroom hotel. Application was subject to a material contravention as part of the site was not zoned".

The members expressed their dissatisfaction with this application to materially contravene the County Development Plan. On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Brian Stanley, members unanimously agreed that the County Development Plan should not be contravened to facilitate this development.

993. FIRE SERVICES CAPITAL PROGRAMME

Members were circulated with a report dated the 22nd of June 2004 from Mr. John Daly, Director of Services relating to the Portarlinton Fire Station. Mr. John Daly informed the Council that the new Fire Station will be located on the Portarlinton Inner Relief Road. A formal letter of approval is awaited from the Department of the Environment, Heritage & Local Government.

The members were also advised that the Department of Environment Heritage & Local Government will allocate funding for a new fire appliance this year and tenders will be invited.

994. THREE TOWN PRIORITY SCHEME (PORTARLINGTON, PORTLAOISE & MOUNTMELICK)

Mr. Louis Brennan indicated that the Portarlington and Portlaoise plans were not yet finalised. These would be circulated at the next Area Meetings. On the proposition of Councillor Paddy Bracken seconded by Councillor Michael Moloney, members unanimously agreed to the works programme for Mountmellick as circulated by Mr. Declan Byrne, Director of Services.

995. LOCAL IMPROVEMENT SCHEME 2004

Members were circulated with a list of the Local Improvement Schemes for 2004. On the proposition of Councillor Michael Lalor seconded by Councillor Jerry Lodge, members unanimously agreed to the Local Improvement Scheme.

Members expressed concern in relation to the applications which were not included in this year's allocation and requested that a letter be issued to the Department of the Environment, Heritage & Local Government requesting that the allocation be increased for Local Improvement Schemes.

996. SUSPENSION OF STANDING ORDERS

As the time had reached 1.00 p.m., Councillor Jerry Lodge proposed that standing orders be suspended and that the remainder of the agenda be discussed. This proposal was seconded by Councillor Martin Phelan and agreed.

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

- (i) On the proposition of Councillor Catherine Fitzgerald seconded by Councillor Jerry Lodge, members unanimously agreed to the disposal of 1 rood (Plan 47 Folio 15155) at Ridge Road, Portlaoise in the townland of Maryborough for a consideration of €50.
- (ii) On the proposition of Councillor Tom Jacob seconded by Councillor John Joe Fennelly, members unanimously agreed to the disposal of 1/12 acres approx at 125 St. Brigids Place, Portlaoise in the townland of Moneyballytyrell for a consideration of €127

998. CORRESPONDENCE

Mr. Gerry Gillen, Senior Executive Officer, Corporate Affairs indicated that two items of correspondence had been received:

- (i) A reply from the Department of the Environment, Heritage & Local Government in relation to Notice of Motion No: 103/04 proposed by Councillor Martin Phelan at the May meeting of Laois County Council regarding applications for driving tests was read into the records.
- (ii) A reply from An Post in relation to Notice of Motion No: 107/04 proposed by Councillor John Bonham at the May meeting of Laois County Council regarding the issuing of a commemorative stamp on the 150th anniversary of the Eureka Gold Strike in Australia was read into the records.

999. REVIEW OF THE REGIONAL WASTE MANAGEMENT PLAN

Mr. Louis Brennan advised the meeting that the review of the Regional Waste Management Plan had commenced.

1000. NOTICE OF MOTIONS

Notice of Motion No: 193/04

Councillor William Aird proposed the following Notice of Motion:-

"That Laois County Council request from the C.E.O. of the Health Board, Mr. Pat Gaughan as to what is the position as regards people attending funerals at the morgue in the County Hospital when the new pay and display machines are installed and would the C.E.O. also comment on the Health Board's view of the long term plans for the morgue at the County Hospital"

This motion was seconded by Councillor Tom Jacob. It was agreed that the matter would be referred to Mr. Pat Gaughan, C.E.O. of the Midland Health Board in this regard.

Notice of Motion No. 194/04

Councillor William Aird proposed the following Notice of Motion:-

"That Laois County Council agree to write to Mr. Pat Gaughan, C.E.O. of the Health Board to urge him to enter into talks with Comhairle na nOispideál and the Minister for Health with a view to securing a full time Consultant and a Cat-Scan at the A & E Department at the County Hospital"

This motion was seconded by Councillor Brian Stanley. It was agreed that the matter would be referred to Mr. Pat Gaughan, C.E.O. of the Midland Health Board in this regard.

Notice of Motion No. 195/04

Councillor William Aird proposed the following of Motion:-

"That this Council be afforded an opportunity by the Planning Department of Laois County Council to allow an open forum to be held so as to allow Councillors an opportunity to discuss general planning issues"

This motion was seconded by Councillor Catherine Fitzgerald. The members were advised that the planning department will arrange a meeting for Councillors in the near future so as to facilitate discussions on general planning issues. This meeting will be organised on the same format as the agent seminars.

The meeting then concluded.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR CORPORATE AFFAIRS