

**MINUTES OF MAY MEETING OF THE COUNCIL HELD ON THE 30<sup>th</sup> OF MAY  
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 John Moran Martin Phelan Brian Stanley	Patrick Bracken James Daly Bill Delaney Catherine Fitzgerald Thomas Jacob Michael Lalor Seamus McDonald Paul Mitchell Brendan Phelan Michael Rice John Turley
<b>APOLOGIES:</b>	Councillors	Mary Sweeney	Dick Miller

**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 Gillen, Senior Executive Officer, Corporate Affairs & Ms. Michelle McCormack, Assistant Staff Officer, Corporate Affairs

**80. CONFIRMATION OF MINUTES**

On the proposition of Councillor Ray Cribbin seconded by Councillor Larry Kavanagh, it was unanimously agreed that the minutes of the April meeting of Laois County Council as circulated be adopted and signed.

**81. VOTE OF SYMPATHY**

On the proposition of the Cathaoirleach, it was unanimously agreed that a vote of sympathy be extended to the families of the five girls who were killed in the Bus Eireann tragedy last week.

## 82. VOTE OF CONGRATULATIONS

On the proposition of the Cathaoirleach, it was unanimously agreed that a vote of congratulations be extended to the Laois team on winning the first round of the championships yesterday in Croke Park

On the proposition of the Cathaoirleach, it was unanimously agreed that a vote of congratulations be extended to Mr. Brian Keenan on his success

## 83. NATIONAL COUNTRY FAIR IN EMO COURT

The Cathaoirleach urged members to give support to the National Country Fair scheduled for the bank holiday weekend in Emo Court.

## 84. NOMINATION OF TWO REPRESENTATIVES TO THE BALLYBROPHY/LIMERICK RAILWAY LINE PARTNERSHIP

Councillor John Bonham proposed that Councillor Martin Phelan be nominated to the Ballybrophy/Limerick Railway Line Partnership.

Councillor John Joe Fennelly proposed that Councillor Brendan Phelan be nominated to the Ballybrophy/Limerick Railway Line Partnership.

Councillor Brian Stanley proposed that Councillor Larry Kavanagh be nominated to the Ballybrophy/Limerick Railway Line Partnership.

A roll call vote was taken which resulted as follows:-

COUNCILLOR	For Martin Phelan	For Brendan Phelan	For Larry Kavanagh
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	√	Abstain
Dick Miller	Absent	Absent	Absent
Paul Mitchell	√		√
John Moran	√		√
Brendan Phelan		√	
Martin Phelan	√		√
Michael Rice		√	
Brian Stanley	√		√
Mary Sweeney	Absent	Absent	Absent
John D Turley	√		√
<b>TOTAL</b>	13	10	13

Councillors Martin Phelan & Larry Kavanagh were deemed to be elected to the Ballybrophy/Limerick Railway Line Partnership.

#### **85. NOMINATION OF TWO REPRESENTATIVES TO THE ANTI-POVERTY STRATEGY STEERING GROUP**

Members were circulated with documentation from Ms. Yvonne Murphy, Community & Enterprise Development Officer in relation to this item. It was agreed following a discussion that three members be nominated to the Anti-Poverty Strategy Steering Group. The following members were then nominated and appointed to the Anti-Poverty Steering Group:

- **Councillor William Aird**
- **Councillor Catherine Fitzgerald**
- **Councillor Patrick Bracken**

**86. FIX DATE FOR ANNUAL GENERAL MEETING - 27<sup>TH</sup> JUNE 2005 AT 3.00 P.M.**

On The proposition of Councillor John Joe Fennelly seconded by Councillor John Bonham, the members unanimously agreed that the A.G.M. would be held on the 27<sup>th</sup> of June 2005 at 3.00 p.m.

**87. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 IN RESPECT OF PROVISION OF RESERVOIR AND ACCESS TO SITE FOR BALLACOLLA GROUP WATER SCHEME**

The Members were circulated with the relevant planning report in relation to the proposed development. The proposed development comprises of a new reservoir with a capacity of 1,000 cubic metres. The site is located in the townland of Grantstown in Ballacolla. The reservoir will be constructed of concrete and the height of the structure will not exceed 7 metres. Perimeter fencing and hedge planting will be provided under the main Design, Build & Operate (DBO) Contract for water treatment. This will be the subject of a separate Part 8 Procedure.

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

**88. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 IN RESPECT OF THE STRADBALLY ROAD, PORTLAOIE - TRAFFIC CALMING**

The Members were circulated with the relevant planning report in relation to the proposed development. The proposed development comprises of traffic calming measures on the N80 Stradbally Road, Portlaoise. The traffic calming is between the Stradbally Road/Summerhill Lane junction and the 50 kmh (30 mph) speed limit at the Cemetery. The traffic calming measures along the N80/Stradbally Road are proposed to restrict vehicle speeds, provide designated on street parking and improve pedestrian crossing facilities. The proposal for traffic calming involves the provision of dedicated parking areas and the provision of controlled pedestrian crossing between the Block Road/Stradbally Road Junction and Brackens Filling Station as well as the provision of improved signage and road lining. Some landscaping works are also to be carried out.

On the proposition of Councillor William Aird seconded by Councillor Catherine Fitzgerald, the Members unanimously agreed to proceed with the proposed development.

Councillor Brian Stanley queried the position in relation to parking spaces which are unmarked across from the cemetery at this location. It was also indicated that there is a need for a roundabout at the end of the Block Road. This matter to be investigated.

**89. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001 IN RESPECT OF THE N80 MAIN STREET, STRADBALLY - RE-SURFACING AND TRAFFIC MANAGEMENT WORKS**

The Members were circulated with the relevant planning report in relation to the proposed development.

The proposed development is to construct a macadam overlay complete with traffic management, road safety and traffic calming facilities on the N80, Main Street, Stradbally, Co. Laois. The works shall be limited to the Main Street from the Maltings to the junction with the R428, Athy Road. The works comprise the provision of a macadam overlay on the existing carriageway with the localized upgrade of footpaths, kerbing and drainage and the provision of formalized parking layout and traffic calming build-outs

On the proposition of Councillor James Deegan seconded by Councillor Ray Cribbin, the Members unanimously agreed to proceed with the proposed development.

Councillor James Deegan complimented the Road Design Staff and also queried the issue of bus parking on the green area in Court Square. It was requested that this be considered at a later date.

**90. ATTENDANCE OF MR. GERRY MURPHY, PUBLIC PRIVATE PARTNERSHIP MANAGER & MR. GERRY O' BRIEN, SENIOR PROJECT MANAGER, NATIONAL ROADS AUTHORITY**

The Cathaoirleach welcomed Mr. Gerry Murphy & Mr. Gerry O' Brien from the National Roads Authority to the meeting. Mr. Gerry Murphy, PPP Manager briefed the meeting in relation to proposals for the introduction of tolling on the M7/M8 Motorway together with strategic issues. Mr. Gerry O' Brien briefed the meeting on traffic management and signage.

A variety of Members made a case in relation to the proposals to site a Toll Plaza in County Laois and the lack of and inadequate signposting off the motorway.

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

- (a) On the proposal of Councillor Tom Jacob seconded by Councillor Larry Kavanagh, the Members unanimously agreed to the disposal of 1.8 acres of land at Green Mill Lane, Portlaoise in the townland of Maryborough to Respond! Housing Association, Airmount, Dominick Place, Waterford for a consideration of €2,794.00.

Members queried the consideration. Mr. Declan Byrne, Director of Services indicated that it is a nominal sum and stated that all outlay that had been incurred by the Council in relation to this site is fully recoupable from the Department

- (b) On the proposal of Councillor Brian Stanley seconded by Councillor Tom Jacob, the Members unanimously agreed to the disposal of 0.06 acres adjacent to 8 Mountain View Square, Ballyfin Road, Portlaoise for a consideration of €127.00
- (c) On the proposal of Councillor Tom Jacob seconded by Councillor Brian Stanley, the Members unanimously agreed to the disposal of 0.11 acres at James Fintan Lalor Avenue in the townland of Borris Little for a consideration of €1.00

**92. RAISING OF A LOAN FROM THE HOUSING FINANCE AGENCY**

On the proposition of Councillor Martin Phelan seconded by Councillor John Bonham, the Members unanimously agreed to the raising of a loan not exceeding €1,102,372 from the Housing Finance Agency plc., in respect of the construction of 10 affordable housing units at Cork Road, Durrow

**93. E.S.B. PREMISES AT PORTLAOISE**

With the consent of the Cathaoirleach, Councillor Tom Jacob raised the issue of the E.S.B. premises in Portlaoise which is being vacated. Councillor Jacob indicated the obligation on the E.S.B to the community and proposed that the County Manager write to Mr. Padraig McManus, the Chief Executive of the E.S.B. to attend a future meeting of Laois County Council in order to inform the Members of the proposals that the E.S.B. were considering with regard to the premises. This proposal was seconded by Councillor Brian Stanley.

## 94. 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 O.P.W. dated the 18<sup>th</sup> of May 2005 in relation to the lands at the Heath in the control of the OPW. It was noted that the reply that had been received indicated that there was a court case pending and that the O.P.W. were not in a position to deal with the matter raised on the 9<sup>th</sup> of May 2005
- (2) Correspondence received from the Department of Communications, Marine & Natural Resources in relation to the issue of salmon fishing drift net licences.

## 95. NOTICE OF MOTIONS

### Notice of Motion No: 19/05

Councillor Jerry Lodge proposed the following Notice of Motion:

***"That this Council be presented with a report on progress towards the establishment of a County Museum and other county-wide museums"***

This motion was seconded by Councillor John Joe Fennelly.

The Heritage Officer is currently working on a draft discussion paper on aspects of the museums sector in County Laois. This will incorporate the results of the Laois Museums Study carried out in 2004, and outline options for the future development of the museums sector in the County. It is hoped to bring this paper before the Housing, Social and Cultural Strategic Policy Committee for discussion in June 2005.

### Notice of Motion No: 20/05

Councillor Brian Stanley proposed the following Notice of Motion:

***"That this Council purchase mobile CCTV cameras that could be placed at different locations around the County where illegal dumping is taking place"***

This motion was seconded by Councillor John Bonham

Laois County Council Environment Enforcement Section recently purchased a number of mobile CCTV cameras. These cameras are now positioned on location on a trial basis and will then be moved to other locations within the county on a rota system.

It is the intention to target identified black spots for litter and unauthorised dumping with CCTV monitoring in the coming year. Mr. John Daly, Director of Services responded to the various queries raised.

#### **Notice of Motion No: 21/05**

Councillor Michael Moloney proposed the following Notice of Motion:

***"In view of the continuing rise in the numbers of pedestrians being killed by vehicles in towns and villages as outlined by the National Safety Council, it is imperative that this Council pass a motion that Laois County Council be proactive in making use of speed ramps in towns and villages where vehicles are persistent in exceeding the legal speed limits"***

This motion was seconded by Councillor Brendan Phelan. Laois County Council Roads Department have two ongoing programmes which relate specifically to road safety:-

- (1) Design and construction of remedial measures at accident locations. Funding is being provided by both the N.R.A. and the D.E.H.L.G. for this programme. Selection of locations is based on the garda accident statistics. Priority is given to high accident locations which in Laois are in rural areas.
- (2) Design and construction of traffic calming measures at the entrances to towns and villages on the National Routes. Funding is being provided by the N.R.A. for this programme

To extend either of the above schemes to all towns and villages would require significant additional resources, both human and financial. A submission can be made to the N.R.A. and D.E.H.L.G. for additional funding but it needs to be considered in the context of the additional submission that Laois County Council hope to make in 2005 for funding for Tonduff.

#### **Notice of Motion No: 22/05**

Councillor Michael Moloney proposed the following Notice of Motion:-

***"That Laois County Council apply to the Department of Housing for additional funding for the installation of central heating in Local Authority housing"***

This motion was seconded by Councillor Brian Stanley. Mr. Declan Byrne indicated that correspondence had been received from the Department in this regard. A



grant has been approved and Minister Aherne also stated that additional funding would be available.

It was requested that the matter be placed on the agenda for the June meeting.

#### **Notice of Motion No: 23/05**

Councillor Martin Phelan proposed the following Notice of Motion:-

***"That Laois County Council consider putting in place arrangements to reduce the disruption to traffic flows by it's works programmes particularly on Friday afternoons"***

This motion was seconded by Councillor Larry Kavanagh.

Members were informed that Laois County Council Roads Department are aware of the disruption caused to traffic by road works. The following general measures are in place to minimize disruption and ensure safe and orderly passage of traffic through a roads work site.

- Erection of signs in compliance with the Traffic Signs Manual
- Advising public through AA Roadwatch
- Condition on all surfacing contracts that works finish

#### **Notice of Motion No: 24/05**

Councillors William Aird, Tom Jacob, Brian Stanley, John Bonham & Jerry Lodge proposed the following Notice of Motion:-

***"That this Council is deeply concerned about the reduction in stocks of wild atlantic salmon and believes that efforts at restoration are of no value while wide scale legal and illegal mixed stock drift netting continues. We call on the Minister for Communications, Marine & Natural Resources without delay to bring an end to all drift netting for salmon in co-operation with angling and tourist interests to introduce a scheme to compensate those commercial fishermen who may suffer hardship as a result of the ending of drift netting"***

This motion was seconded by Councillor Tom Jacob.

Mr. Gerry Gillen, Senior Executive Officer read out the correspondence received from the Department of Communications, Marine and Natural Resources dated the 27<sup>th</sup> of April 2005 in relation to this matter.

#### **Notice of Motion No: 25/05**

Councillor Martin Phelan proposed the following Notice of Motion:

*"That this Council call on the Minister for Transport to consider a law to have walkers use high visibility jackets"*

This motion was seconded by Councillor Jerry Lodge

It was agreed that a letter would issue to the Department of Transport in this regard

This concluded the business of the meeting.

**Signed:**

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Cathaoirleach

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Director of Corporate Affairs