

MINUTES OF APRIL MEETING OF LAOIS COUNTY COUNCIL HELD ON THE
24TH OF APRIL 2006 IN ÁRAS AN CHONTAE, PORTLAOISE AT 11.00 A.M.

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

IN ATTENDANCE:

Messers Peter Carey, County Manager, Gerry Gibson, Director of Services, Declan Byrne, Director of Services, John Daly, Director of Services, Gerry Murphy, Head of Finance. Ms. Anna Marie Delaney, Director of Services, Michael O'Hora, Senior Engineer, Mary White, Senior Engineer, Carmel McNicholl, Senior Executive Officer Housing, Don Culliton, Senior Executive Officer, Human Resources, Gerry Gillen, Senior Executive Officer, Corporate Affairs, Breda Creed, A/Assistant Staff Officer, Corporate Affairs.

48. VOTE OF SYMPATHY

The Members unanimously agreed that a vote of sympathy be extended to the following:

Councillor Marty Phelan on the death of his sister Ms. Margaret Phelan, Mr. Martin Daly, Senior Executive Officer on the death of his mother Mrs. Josie Daly, Ms. Dorothy Fitzpatrick, Assistant Staff Officer on the death of her father Mr. Philip Heavey, the O' Donnell family on the death of Mr. Murt O'Donnell, a former employee of the Council, the Rice family on the death of Mrs Ita Rice, the Buckley Family on the death of Mr. Timothy Buckley, the Maher family on the death of Mr. Jamie Maher and the Sayers family on the death of Mr. James Sayers.

49. As a mark of respect to Councillor Marty Phelan and on the proposal of the Cathaoirleach, the Members unanimously agreed to a fifteen minute adjournment of the meeting.

50. VOTE OF CONGRATULATIONS

Upon the resumption of the Meeting, on the proposal of Councillor Brendan Phelan, the Members unanimously passed a vote of congratulations to St. Fergal's College, Rathdowney, on their recent achievement in winning the All Ireland Vocational Schools SHC 'A' title and also on their recent Senior Post Primary All Ireland Camogie success.

The Members unanimously passed a vote of congratulations to Ms. Anna Marie Delaney, on her recent appointment to the position of Director of Services with the Council.

The Members unanimously passed a vote of congratulations to Ms. Carmel Mc Nicholl, on her recent appointment to the position of Senior Executive Officer with the Council.

51. BEST WISHES

The Cathaoirleach, Councillor Larry Kavanagh, welcomed Councillor Bill Delaney back to the Council Chamber following his recent illness.

52. CONFIRMATION OF MINUTES

On the proposition of Councillor John Joe Fennelly seconded by Councillor Michael Lalor, it was unanimously agreed that the Minutes of the Meeting of Laois County Council held on the 27th of March, 2006 as circulated be adopted and signed.

53. REPORT ON AREA MEETING HELD IN MARCH 2006 FOR NOTING

(a) The Members noted the reports of the Area Meetings that had been held in March 2006, which had been circulated to them

(b) The Members noted the reports of the SPC Meetings held in March 2006, which had been circulated to them

54. SOCIAL AND COMMUNITY FACILITIES CAPITAL SCHEME 2006

Mr Declan Byrne advised the Members of the Scheme, as follows;

- A maximum of three projects can be submitted, in order of priority, and a minimum of €100,000 is available for each project selected for funding.
- The scheme is intended to assist with the undertaking of Capital Projects that are carried out with the assistance of Local Authorities which are designed to enhance communities, address social disadvantage and improve social cohesion at local level.

- The funding cannot be used for projects that fall within normal funding allocation. It can be used to augment Social Inclusion type community projects being funded from the Council's own resources such as Community Facilities.
- The closing date for submitting applications to the Department of Environment, Heritage and Local Government is 19th May 2006.

The overall objective of this Scheme is to support and strengthen the Local Authorities' work in building Social Capital, in line with their expanding role in ensuring that there is social inclusion and community development. This initiative was welcomed by the Members.

It was agreed that the Members representing each of the Local Electoral Areas would meet in order to agree the particular local project that would be nominated by them for consideration. It was further agreed that each of the groupings would nominate one Member who would represent the group in deliberations which would be facilitated by the Director of Services. These deliberations would initially select the three projects which would be submitted to the Department and would also agree the prioritisation to be attached to each of the three nominated projects. It was agreed that the decisions of the nominated Members would be final.

55. CLÁR PROGRAMME FOR RE-VITALISING LOCAL AREAS

The Members unanimously welcomed the extension of the Clár programme to include qualifying areas in County Laois. CLÁR is an investment programme for disadvantaged rural areas. The measures in the programme cover physical, social and community infrastructure, including roads, water schemes, village, community and countryside enhancement and community initiatives. The programme can result in the fast tracking of development in these areas, by providing matching funding for investments made by Local Authorities, Leader, the HSE and local communities, in the provision of this infrastructure. Laois County Council will be working with all relevant bodies and local communities to maximise the benefits of the CLÁR programme in the eligible areas.

56. ANNUAL FINANCIAL STATEMENT 2005, APPROVAL FOR OVER EXPENDITURE AND TRANSFERS TO CAPITAL

Mr. Gerry Murphy, Head of Finance advised the Members in relation to the contents of Annual Financial Statement for the year ending on the 31st of December 2005. He indicated that details relating to all revenue debts 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. He also advised the Members of the rationale adopted for transferring funds from the Revenue Account to the Capital Account. During the course of the discussions which followed the County Manager advised the Members of the amounts allocated towards the financing of the swimming pool projects at Portarlinton and Portlaoise. He also advised of the amounts of grants being

received from the Department and the transfer of money from dormant Land Capital Accounts to meet the shortfall in funding.

On the proposition of Councillor James Daly, seconded by Councillor John Bonham, the Members unanimously agreed the Over Expenditure and transfers to capital as set out in his report, the details of which are set out below. The Members together with the County Manager complimented Mr. Gerry Murphy, Head of Finance on the very comprehensive report that he had prepared.

Annual Financial Statement 2005 - Over-expenditure Resolution

	Sub Programmes	Budget	Out-turn	Variance	Main Reason(s)
1.	Local Authority	2,094,71	2,213,044.	118,328.9	-
1	Housing	6	98	8	Additional expenditure for reletting repairs and the provision of cookers funded from capital.
1.	Assistance to Persons	1,560,30	2,151,838.	591,538.0	-
3	Improving Houses	0	00	0	Additional expenditure on Disabled Persons and Essential Repair Grants funded from grants.
2.		5,373,00	5,919,804.	546,804.6	-
1	Road Upkeep	0	65	5	Additional grants for N80 Portlaoise Traffic Calming and repairs to roads as a result of Monasrerevan Bypass.
2.				178,713.4	-
3	Road Traffic	357,150	535,863.43	3	Additional Grant for Metric Speed Limits and provision for parking (see transfers to capital).
2.	Administration &	5,288,24	5,440,312.	152,069.9	-
8	Miscellaneous - Roads	3	94	4	Additional pension and lump sum payments.
3.		2,309,49	2,360,576.	-	-
1	Public Water Supply	1	77	51,085.77	Additional costs incurred for Catholes Water Treatment and Well at the Knocks.
3.	Public Sewerage	1,688,44	1,823,799.	135,351.4	-
2	Schemes	8	46	6	Replacement of sewage pumps and additional costs at Portarlinton Waste Water Treatment Plant.
3.	Administration and	1,780,47	1,902,015.	121,544.5	-
8	Miscellaneous- Water/Sewerage	1	50	0	36,868.30 - additional pension and lump sum payments. 26,299.40 - legal fees, 16,992.22 Insurances, Bal Agency.
4.		1,589,63	1,664,974.	-	-
1	Land Use and Planning	5	76	75,339.76	Funded from additional planning fees.
4.	Other Development			-	-
3	and Promotion	204,850	234,323.63	29,473.63	Additional costs incurred in Tourism promotion.
4.	Administration-Develop			-	-
8	Incentives & Controls	691,083	697,964.64	6,881.64	Insurance costs.
5.		4,525,60	4,662,364.	136,763.2	-
1	Waste Disposal	1	24	4	Increase in volume of waste into landfill.
5.	Safety of Structures			-	-
3	and Places	120,800	189,507.68	68,707.68	Expenditure on Civil Defence National Exercise for which a grant of 45,444.49 was received. Additional expenditure

					required for dangerous building and water safety.
5.		2,665,00	2,997,765.	-	137,444.79 additional pension and lump sum payments.
4	Fire Protection	0	46	332,765.46	161,774.55 provision for doubtful debts.
					12,437.47 for equipment funded from grants.
					11,969.90 insurance costs.
	Administration and				
5.	Miscellaneous -	1,995,83	1,998,093.	-	
8	Environment	7	04	2,256.04	
	Parks, Open Spaces,				
6.	Recreational Centres ,				Appointment of Horticulturist and extra costs of parks.
3	etc	288,000	330,134.67	42,134.67	Sports - extra funding of 18,857.86 received.
	Administration and				
6.	Miscellaneous-				Additional pension and lump sum payments.
8	Recreation	513,241	589,768.21	76,527.21	Higher Education Grants and Superannuation V.E.C.(Contra)
7.	Education	2,612,00	2,907,820.	295,820.14	
2	Administration and	0	14	4	
	Miscellaneous-Agric,				Central Management Charge.
7.	Educ, Health	345,255	375,665.49	30,410.49	
8.					
8	Regional Authority	118,000	138,204.57	20,204.57	Additional levy.
	Total	36,121,121	39,133,842.26	3,012,721.26	
	Total Budget and outturn for 2005	54,617,000	56,611,103.92	1,994,103.92	

Annual Financial Statement 2005 - Transfers to Capital

2.		108,500.			To fund parking in
3	Traffic Management	00			Mountmellick/Portlaoise/Mountrath/Portarlington.
2.		90,243.7			
3	Parking Charges	1			Fund provision.
2.	Roads Overhead	84,700.0			
8	Holding Account	0			To fund purchase of patching unit.
4.		17,204.5			
1	Forward Planning	1			Fund provision.
4.	Fees Planning	59,313.1			To fund scanning of files.
1	Applications	3			
4.	Economic	67,709.6			To fund broadband expenditure.
2	Development	9			
5.	Waste Regulation	81,187.4			Provision for legal fees.
5.		9			To fund Civic Amenity site and Green Waste
1	Recycling	7,260.38			Composting facility.
5.	Landfill	204,927.			In lieu of loan charges for capital works.
1		02			
5.	Burial Grounds	17,000.0			To fund capital works programme (in lieu of loan charges).
2		0			

6. 1	Swimming Pools	44,890.3 8	Fund provision.
6. 4	School of Music	12,364.3 7	Fund provision.
7. 1	Nore Drainage Materials and	14,534.2 9	Fund provision.
8. 2	Machinery Expense Account	143,168. 95	To fund purchase of plant and bitumen storage facility at Clonboyne.
	Members Gratuities	9,531.12	Fund provision.
	Members Foreign Travel	25,322.9 0	Fund provision.
	Historical Mortgage Funding Surplus	46,941.6 9	To fund Millenium Events, Stradbally Civil Defence Building and temporary accommodation at Borris in Ossory and Stradbally.
	Superannuation	79,401.5 6	Fund provision.
	Miscellaneous Payroll codes	206,927. 00	Fund provision.
	P.M.D.S., Contingency and Health and Safety	101,418. 79	Fund provision.

57. PRESENTATION BY MR NED BRENNAN, RESPOND! ON VOLUNTARY HOUSING IN COUNTY LAOIS

Mr Ned Brennan outlined to those present at the meeting the status of the various Respond! Housing projects in the county. He acknowledged the positive working relationship which exists between Laois County Council and Respond!. Mr Brennan responded to various concerns that were raised by Members of the Council and provided updated contact details for Respond! representatives in this region.

58. PRESENTATION BY MS. LISA SHEILS, PROJECT CO-ORDINATOR - SOUTH EAST RIVER BASIN DISTRICT PROJECT

The Members welcomed the presentation which included clarification in relation to the following matters:

- **Overview of the Water Framework Directive (WFD)**
- **Characterisation Reporting**
- **Legislation transposing the WFD into Irish Law**
- **Implementation timetable**
- **Typology**
- **Characterisation and Risk Assessment**
- **Water pollution**

Mr John Daly, Director of Services, thanked Ms. Shiels for her attendance and the comprehensive report.

59. UPDATE IN RELATION TO THE IMPLEMENTATION OF THE COUNCIL'S CORPORATE PLAN.

This report is one of a series of reports that outline the progress that is being made towards achieving the goals set out in the Corporate Plan 2004-2009. The County Manager delivered a brief overview of the report, and paid tribute to the dedication and enthusiasm of the Members, employees of the Council and the Council's Sectoral Partners who were working to ensure that the county is developed to its full potential. The Members welcomed the report and congratulated the Manager and the Council's employees on being awarded the "Excellence Through People Award".

60. DRAFT ANNUAL REPORT

The Members welcomed the draft Annual Report and on the proposition of Councillor John Bonham, seconded by Councillor Mary Sweeney the Members agreed that the publication of the report should be proceeded with.

61. REPORT ON DEVELOPMENT CONTRIBUTIONS

In accordance with Section 48 of the Planning and Development Act 2000 the County Manager is required to prepare a report for the Members which contains details of monies paid in respect of Development Contributions. The report is also required to indicate how such monies have been expended. The Members welcomed the Report. that had set out the details of

- a) Contributions collected to the 31/12/2005 under the adopted scheme,
- b) Special levies available at the 31/12/2005 and
- c) Contributions available at the 31/12/2005 under the 1963 Act.

The report, also, sets out our proposals for the disbursement of Development Contributions.

- a) Contributions collected to the 31/12/2005 under the adopted scheme:

Water	1,360,825.84
Waste Water	1,710,173.93
Roads	1,963,531.80
Heritage	3,000.00
Parking	76,980.00
Amenity	1,176,197.84
Total	6,290,709.41

An amount of 207,258.89 was spent on the 2005 Small Water and Sewerage Scheme Programme whilst an amount of 38,499.50 was spent on the playgrounds at Portarlinton, Mountrath, Abbeyleix and Mountmellick.

- b) Special Levies available at the 31/12/2005:

Carlow Northern Relief Road	738,683
Portarlington Orbital Route	293,200
Portlaoise Orbital Routes	972,379
Miscellaneous Roads	36,000
Pumping Stations	466,068.29
Portarlington Water Supply	500,249.83
Portlaoise Main Drainage	957,038.42
Miscellaneous Water Schemes	121,037.55
Miscellaneous Waste Water Scheme	364,635.40
Total	4,449,291.49

c) Development Contributions available at the 31/12/05 under the 1963 Act:

Roads General	310,883.15
Commercial Parking	444,984.43
Water and Sewerage	4,161,338.52
Open Spaces	246,551.75
Total	5,163,757.85

It is proposed to utilise the contributions for the following programmes:

Water and Waste Water Scheme Contributions	Estimate	
Portlaoise Main Drainage Treatment Plant	21,300,000	2,531,827
Portlaoise Main Drainage Network Contract	11,600,000	71,533
Portarlington Water Supply	5,500,000	481,697
Laois Towns and Villages Sewerage Scheme	36,000,000	5,695,968
Portlaoise/Mountmellick Water Supply	10,500,000	1,100,000
Mountmellick Sewerage Scheme	4,000,000	1,075,301
Small Water and Sewerage Scheme Prog	900,000	225,000
Totals	89,800,000	11,181,326

Including the special contributions, amounts totalling 9,175,299.49 are currently available to fund the Council's contribution of 11,181,326, leaving a shortfall of 2,006,026.51.

Roads Project Prog.	Estimate	Works (2006)
Knockmay Link/Landscaping	40,000	40,000
Pedestrian Crossing, Dublin Road, Portlaoise	20,000	20,000
Pedestrian Crossing, Credit Union, Portarlington	50,000	50,000
Pedestrian Crossing, Bracklone Street, Portarlington	20,000	20,000
Road reconstruction at Killenard	400,000	200,000
Junction Improvements, Mountmellick	30,000	30,000
Pedestrian Crossing, Mountmellick	20,000	20,000
Specific Traffic Calming Measures, e.g. Ballacolla	110,000	110,000
Portlaoise Southern Circular	8,000,000	100,000
Portlaoise Western Circular	8,000,000	4,350,000
Portlaoise Northern Orbital Route	44,000,000	
Kilmullen	2,000,000	
Borris Road/Hermitage (Phase 1)	500,000	
500,000		

Borris Road/Hermitage (Phase 2)	4,000,000
Portarlington Orbital Route	5,000,000
Traffic calming Sandy Lane & Station Road, Pton	200,000
200,000	
Carlow Numbers Road Realignment	4,000,000
100,000	
Durrow N77-N8	4,500,000
Bishops Wood, Portarlington	2,500,000
100,000	
Mill Street and Gloscha Road, Rathdowney (Phase 1)	50,000
50,000	
Mill Street and Gloscha Road, Rathdowney (Phase 2)	1,000,000
Carlow Northern Relief Road	25,000,000
100,000	
Lacca Bridge/Northgrove Bridge	300,000
300,000	
2006 footpath programme	300,000
300,000	
Totals	110,040,000
6,590,000	

Including the special contributions, amounts totaling 4,314,676.95 are currently available to fund the 2006 work programme of 6,590,000, leaving a shortfall of 2,275,323.05.

Heritage/Pumping Stations/Parking

These contributions will be used for heritage, pumping stations and long-term parking facilities.

Amenity/Open Spaces

Project	Estimate	
Contributions		
Portarlington playground	153,000	
47,000		
Abbeyleix, Mountrath and Mountmellick playgrounds	410,000	
350,000		
Skate-park, Portlaoise	55,000	
20,000		
Athletics Track, Portlaoise	200,000	
200,000		
Other Sporting/Recreational Facilities	300,000	
300,000		
Portarlington Swimming Pool	5,270,000	
900,000		
Portlaoise Leisure Centre	10,840,000	
1,900,000		
Abbeyleix Library	1,965,000	
865,000		
Mountrath Library	1,100,000	
900,000		
Portarlington Library	2,500,000	
875,000		
Mountmellick Library	2,250,000	
790,000		
Community Facilities	300,000	
300,000		
L.U.R.D. Programme		350,000
80,000		
Upgrading of the Slieve Bloom Way	50,000	
50,000		

Broadband in Mountmellick and Portarlinton	3,730,000
373,000	
Totals	29,473,000
7,950,000	

Including the special contributions, amounts totalling 1,422,749.59 are currently available to fund the Council's contribution of 7,950,000, leaving a shortfall of 6,527,250.41.

As can be seen from the above a very extensive capital programme is being planned which will not only use all funds currently available but will, also, use future development contributions. Whilst there is a shortfall under all main headings at present it is our intention to progress these projects as quickly as possible during 2006.

However, the completion of these projects is dependent on the availability of further resources and the extent of grants/funding available from the Department of the Environment, Heritage and Local Government and other Government Departments.

The list of works is not intended to be exhaustive as circumstances/opportunities may arise that will enable the Council to realize a capital project for the benefit of the County.

62. CORRESPONDENCE.

There was no correspondence for noting.

63. NOTICE OF MOTIONS.

Notice of Motion No: 15/06

Councillor James Deegan proposed the following Notice of Motion.

"That Laois County Council exempt from Development Charges any voluntary organisation that has been granted charitable status by the Revenue Commissioner"

The motion was seconded by Councillor Michael Lalor. The Members were advised as follows:

The adopted Development Contributions Scheme makes provisions for exemptions and reductions for certain organisations with respect to the payment of development levies-

"Exemptions - Development by or on behalf of a voluntary organisation which: is designated or intended to be used for social, recreational, educational or religious purposes by the inhabitants of a locality, or by people or a particular group or religious denomination and is not to be used mainly for profit or gain (50% reduction)"

Notice of Motion No: 16/06

Councillor James Deegan proposed the following Notice of Motion

"That following the recent allocation of funding to the Rock of Dunamais and Emo Court from The Department of the Environment, that this Council ask a representative of The Office of Public Works to attend a meeting of Laois County Council to outline their future plans for both Heritage Sites"

The motion was seconded by Councillor Michael Lalor. The Members were informed that a letter would issue requesting a representative of the Office of Public Works to attend a meeting of Laois County Council to outline their future plans for both Heritage Sites.

Notice of Motion No: 17/06

Councillor Brian Stanley proposed the following Notice of Motion

"That the policies incorporated by the Members of this Council in the County Development Plan regarding layout of housing schemes be implemented in full and that where exceptions to this are being considered, Councillors should be informed of the reasons for this"

The motion was seconded by Councillor Tom Jacob. The members were advised as follows -

The Planners in the Development Control Section are implementing the policies, regarding layout of Housing Schemes, as contained in The Development Plan. The concept of Quality Design for Housing layouts is incorporated in Chapter 10 of The County Development Plan and this is the 'guiding' principle for developers in the design of estates.

This concluded the business of the meeting.

Signed Seas Sam Deegan Anna Marie Deegan
Laois Cathaoirleach Director of Corporate Affairs