

MINUTES OF JANUARY MEETING OF LAOIS COUNTY COUNCIL HELD ON  
THE 30<sup>TH</sup> OF JANUARY 2006 IN ÁRAS AN CHONTAE, PORTLAOISE AT 11.00  
A.M.

<b>PRESENT:</b>	Councillor	Larry Kavanagh	In the Chair
	Councillors	William Aird Patrick Bracken James Daly Bill Delaney David Goodwin Thomas Jacob Jerry Lodge Dick Miller John Moran Martin Phelan Brian Stanley Michael Moloney	John Bonham Ray Cribbin James Deegan John Joe Fennelly Catherine Fitzgerald Michael Lalor Seamus McDonald Paul Mitchell Brendan Phelan Michael Rice Mary Sweeney 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, Anna Marie Delaney, A/Director of Services, Gerry Murphy, Head of Finance, Gerry Gillen, Senior Executive Officer, Corporate Affairs & Ms. Michelle McCormack, Assistant Staff Officer, Corporate Affairs

**1. VOTE OF SYMPATHY**

On the proposal of Councillor Dick Miller, the Members unanimously agreed that a vote of sympathy be extended to the Lalor family, Timahoe on the death of their son at the weekend. This proposal was seconded by Councillor James Daly.

On the proposal of Councillor William Aird, the Members unanimously agreed that a vote of sympathy be extended to Mr. Roy Glynn, Central Area on the death of his mother.

On the proposal of Councillor John Moran, the Members unanimously agreed that a vote of sympathy be extended to Michael Hughes, Grangehiggin, Kilmeague, Naas, Co. Kildare on the death of his mother Theresa Hughes

**2. VOTE OF CONGRATULATIONS**

On the proposition of The Cathaoirleach, Councillor Larry Kavanagh, it was unanimously agreed that a vote of congratulations be extended to Mr. Pauric Walsh who was recently elected President of the I.F.A. It was also proposed by Councillor Larry Kavanagh and seconded by Councillor Martin Phelan that a Civic Reception be accorded to Mr. Walsh in order to mark his achievement.

### **3. CONFIRMATION OF MINUTES**

- (a) On the proposition of Councillor Michael Lalor seconded by Councillor John Bonham, it was unanimously agreed that the Minutes of the December Meeting of Laois County Council held on the 12<sup>th</sup> of December 2005 as circulated be adopted and signed. Councillor Dick Miller enquired as to the up to date position in relation to the carrying out of improvement works at Moneycross. Mr. Gerry Gibson, Director of Services indicated that a sum of €262,000 has been allocated by the Department of the Environment, Heritage & Local Government for improvement works at this location.
- (b) On the proposition of Councillor John Moran seconded by Councillor Michael Lalor, it was unanimously agreed that the Minutes of the Statutory Budget Meeting of Laois County Council held on the 15<sup>th</sup> of December as circulated be adopted and signed. Councillor James Deegan requested that a detailed report with regard to the Development Contribution Scheme be presented to the Members as soon as possible. The Members were advised that a report in this regard would be furnished to them at the earliest possible opportunity.
- (c) On the proposition of Councillor John Bonham seconded by Councillor Martin Phelan, it was unanimously agreed that the Minutes of the Special Meeting to discuss the County Manager's Report in relation to the material amendments to the draft County Development Plan held on the 4<sup>th</sup> of January 2006 as circulated be adopted and signed.

### **4. REPORT ON AREA MEETINGS HELD IN DECEMBER 2005 FOR NOTING**

- (a) The Members noted the reports on the Area Meetings that had been held in December 2005 which had been circulated to them.
- (b) The Members noted the reports on the SPC Meetings held in December 2005 which had been circulated to them.

### **5. APPOINTMENT OF THREE MEMBERS TO THE DUBLIN-MID LEISNTER REGIONAL HEALTH FORUM**

Councillor Brian Stanley proposed that Councillor Brendan Phelan, Councillor Tom Jacob and Councillor William Aird be nominated to the Dublin-Mid Leinster Regional Health Forum. This proposal was seconded by Councillor Tom Jacob and was unanimously agreed.

### **6. MATERIAL CONTRAVENTION OF THE COUNTY DEVELOPMENT PLAN IN RELATION TO APPLICATION FOR PERMISSION TO CONSTRUCT 59 RESIDENTIAL UNITS, MEDICAL CENTRE AND ASSOCIATED SITE WORKS (PHASE 2) AT THE MALTINGS, PORTLAOISE, CO. LAOIS, PLANNING REF: 04/1028**

Councillor William Aird proposed that consideration of the proposed Material Contravention of the County Development Plan in relation to application for permission to construct 59 residential units, medical centre and associated site works (Phase 2) at the Maltings, Portlaoise, Co. Laois. (Planning Ref: 04/1028) be adjourned.

A roll call vote was taken on this proposal, the result of which is set out hereunder.

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		√	
Dick Miller		√	
Paul Mitchell		√	
Michael Moloney			√ Abstain
John Moran		√	
Brendan Phelan			√ Abstain
Martin Phelan		√	
Michael Rice		√	
Brian Stanley		√	
Mary Sweeney		√	
John D. Turley		√	
<b>TOTAL</b>		20	

The result of the Roll Call was 20 votes in favour of Councillor Aird's proposal. As a result of the vote it was agreed that consideration of the matter should be adjourned.

**7. (i) DISPOSAL OF 0.027 HECTARES ADJOINING 40 DR. MURPHY PLACE, PORTLAOISE IN THE TOWNLAND OF BORRIS LITTLE TO MAUREEN COLEMAN OR A CONSIDERATION OF €5,000**

On the proposition of Councillor William Aird which was seconded by Councillor Mary Sweeney, the Members unanimously agreed to the disposal of 0.027 hectares adjoining 40 Dr. Murphy Place, Portlaoise in the townland of Borris Little to Maureen Coleman for a consideration of €5,000

**(ii) DISPOSAL OF 0.23 ACRES AT DERRYCLONEY, MOUNTMELICK IN THE TOWNLAND AT DERRYCLONEY TO JAMES & BERNADETTE CAWLEY, 2 DERRYCLONEY, MOUNTMELICK FOR A CONSIDERATION OF €127**

On the proposition of Councillor Brian Stanley which was seconded by Councillor Seamus McDonald, the Members unanimously agreed to the disposal of 0.23 acres at Derrycloney, Mountmellick in the townland of Derrycloney to James & Bernadette Cawley, 2 Derrycloney, Mountmellick for a consideration of €127

**(iii) DISPOSAL OF 2.18 ACRES AT BALLYROAN IN THE TOWNLAND OF BALLYROAN TO SUE RYDER FOUNDATION, SUE RYDER HOUSE, BALLYROAN, CO. LAOIS FOR A CONSIDERATION OF €116,200**

On the proposition of Councillor Mary Sweeney which was seconded by Councillor William Aird, the Members unanimously agreed to the disposal of 2.18 acres at Ballyroan in the townland of Ballyroan to Sue Ryder Foundation, Sue Ryder House, Ballyroan, Co. Laois for a consideration of €116,200

**8. OVERDRAFT ACCOMMODATION FOR HALF YEAR ENDED 30/06/2006 IN THE SUM OF €5,000,000**

On the proposition of Councillor James Deegan which was seconded by Councillor John Bonham, the Members unanimously approved overdraft accommodation in the sum of €5 m for the half year ended 30<sup>th</sup> June 2006.

**9. KNOCKMAY REGENERATION PROJECT UPDATE**

Ms. Anna Marie Delaney briefed the Members in relation to the Knockmay Regeneration Project and the proposed works. She advised the Members that Evelyn Duff Architects had been appointed to prepare a master plan for the project. Ms. Delaney indicated that it was intended that, with the Members approval, consultation with all interested parties would commence in February.

**10. CAR PARKING & PARKING PLACE (AMENDMENT) BYE-LAWS 2006**

The Members were circulated with a copy of the draft Car Park & Parking Place (Amendment) Bye-Laws for 2006. The amendments provided for the increasing of the charge to €0.60 for a pay and display parking ticket. On the proposal of Councillor John Bonham seconded by Councillor James Deegan, the Members unanimously agreed to adopt the Car Parking & Parking Place (Amendment) Bye-Laws 2006

## **11. ADOPTION OF DRAFT BYE-LAWS FOR THE MANAGEMENT OF WATER SUPPLIES AND THE CONSERVATION OF DRINKING WATER 2005**

The Members were circulated with a copy of the draft Bye-Laws for The Management of Water Supplies and the Conservation of Drinking Water 2005. The Members were informed that the draft Bye-Laws had been endorsed by the Strategic Policy Committee at its September meeting and had previously been presented to the Council at its October meeting. It was proposed that Bye-Laws be amended by the exclusion of paragraphs 4.2.1, 4.2.2. & 4.2.3. This proposal was agreed unanimously.

On the proposal of Councillor William Aird seconded by Councillor John Daly, the Members unanimously agreed that the draft Bye-Laws for the Management of Water Services and the Conservation of Drinking Water be adopted.

## **12. E.P.A. ANNUAL REPORT ON QUALITY OF WATER IN IRELAND 2004**

The Members were circulated with a summary of the EPA Report on the Quality of Drinking Water in Ireland which was noted.

It was requested that a representative from E.G. Pettit attend a future meeting of Laois County Council in order to give a presentation to the Members in relation to the South Eastern River Basin Management System.

## **13. CORRESPONDENCE**

Members were circulated with copies of correspondence received from the Department of Arts, Sports and Tourism which indicated that grants of €3,809,214 had been allocated for Portarlinton & Portlaoise Swimming Pool under the Local Authority Swimming Pool Programme.

The Members expressed their satisfaction with the allocations and the voluntary committees which are involved in the running of both pools were complimented with regard to their work.

The Members enquired as to whether or not officials of the N.R.A. would attend a future meeting of the Council as requested. It was agreed that a further letter should issue to the N.R.A. in this regard.

## **14. NOTICES OF MOTION**

### **Notice of Motion No: 01/06**

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

**"That this Council be given the up to date position regarding price per tonnage for waste going to Kyletelisha Landfill"**

This motion was seconded by Councillor John Joe Fenenlly

John Daly, Director of Services replied to this Notice of Motion. He stated that this matter had been fully discussed by the Members when they were considering the Budget for 2006. At that time, it was explained to the Members that the circumstances in which the Council and other local authorities were operating had changed substantially in 2005, with the increased availability of private sector landfills charging lower gate fees than the Councils.

In 2005, and again in 2006, the Council has had to take the market situation into account when setting charges for Kyletalesha which have been reduced from € 140 per tonne in 2005 to € 125 per tonne in 2006.

Even with this reduced rate, the Council will still have to be constantly aware of movements in the market and will need the flexibility required to adjust to such movements.

The situation is being monitored on a weekly basis and, to date, the indications are positive that the Council will receive the income targeted in the 2006 Budget.

The Director of Services confirmed that waste from Laois is being deposited in the Landfill.

#### **Notice of Motion No: 02/06**

Councillor Martin Phelan proposed the following Notice of Motion:-

**"That this Council review all speed limits in the County before the 1<sup>st</sup> of May 2006"**

This motion was seconded by Councillor John Bonham. The Members were advised that a review of speed limits is included on the Road Design Department's programme of work for 2006.

#### **Notice of Motion No: 03/06**

Councillor Martin Phelan proposed the following Notice of Motion:-

**"That this Council request Iarnróid Eireann (Irish Rail) to re-instate the 10.40 a.m. stop at Ballybrophy Station. The Cork to Dublin train stops at Templemore and Portlaoise. Many people have requested that this service be re-instated"**

This motion was seconded by Councillor John Bonham

It was agreed that a letter should issue to Mr. John Lynch of Iarnróid Eireann in this regard.

#### **Notice of Motion No: 04/06**

Councillor Martin Phelan proposed the following Notice of Motion:-

**"That this Council inform Members with a complete update of all sewerage works for this County"**

This motion was seconded by Councillor Brian Stanley. The Members were given the current status of the wastewater projects in the County as follows:-

Portlaoise - Sewerage Improvement Works, Network Contract: Following the recent withdrawal of the recommended Contractor, a revised submission is to be issued to DOHELG in relation to the next lowest tenderer in the week commencing 30<sup>th</sup> January 2006.

Wastewater Treatment Plant (DBO) Contract : The Tender Assessment Report and the Water Charging Policy Report have been received from the Consultants (RPS). All of the required documentation will now be prepared for submission to DOHELG within the next week seeking approval to award the contract.

Mountmellick - Sewer Extensions - Recommendations have been submitted to DOHELG to revise the Preliminary Report.

Abbeyleix, Rathdowney, Mountrath & Durrow - Package plants to provide temporary capacity are being installed. Commissioning is scheduled to be completed by the end of March

Laois Towns & Villages - Towns - It is envisaged that the Tender/Contract documents will be submitted to the DOHELG by June. Villages - It is hoped that the Preliminary Report for villages will be available from the Consultants by the end of February.

Portarlinton - The Brief for the appointment of Consultants has been revised and is being submitted to DOHELG for approval.

Emo -/Ballybrittas/Killenard - The Design Review Report has been submitted to DOHELG.

#### **Notice of Motion No: 05/06**

Councillor Jerry Lodge proposed the following Notice of Motion

**"That this Council requests the Housing SPC to reassess the policy of Laois County Council in relation to Affordable Housing whereby single people, irrespective of age or circumstances"**

This motion was seconded by Councillor Tom Jacob

Ms. Anna Marie Delaney, Senior Executive Officer indicated that this matter would be addressed at the next Strategic Policy Committee Meeting on the 6<sup>th</sup> of March 2006.

The Members also requested that all the SPCs should be informed of the policies being considered by the various Strategic Policy Committees.

## 15. ANY OTHER BUSINESS

Councillor John Bonham enquired as to the position with regard to the human remains find in Cullohill. Mr. Gerry Gibson, Director of Services indicated that an update in this regard would be sought from the Archaeologist. He also indicated that a site visit could be arranged for any of the Members that wished to visit the site.

The Members also remembered the late Councillor Michael Turley the first anniversary of whose death occurs this week.

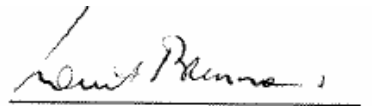
## 16. VOTE OF WELL WISHES

The members individually and collectively wished Mr. Louis Brenann, Director of Services well on his forthcoming retirement. The County Manager on behalf of the Management & Employees at Áras an Chontae also wished Mr. Brennan every good wish for his retirement.

This concluded the business of the meeting.

Signed:

  
Cathaoirleach

  
Director of Corporate  
Affairs