

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

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

**APOLOGIES:**                      **Councillor:**                      **Bill Delaney**

**IN ATTENDANCE:**

**Messers: Peter Carey, County Manager, Gerry Gibson, Director of Services, John Daly, Director of Services, Declan Byrne, Director of Services, Kieran Kehoe, Acting Senior Engineer, Anna Marie Delaney, Director of Services, Roisín Walsh, Acting Head of Finance Carmel McNicholl, Senior Executive Officer Housing, , Irene Delaney, Acting Senior Executive Officer, Corporate Affairs, Catherine Casey, Heritage, Mary Fitzpatrick, Archivist, Breda Creed, A/Assistant Staff Officer, Corporate Affairs.**

**79. VOTE OF SYMPATHY**

**The Members unanimously agreed that the sympathy of the Council be extended to Councillor Dick Miller and to the wife and family of the late Bobby Miller.**

#### **80. ADJOURNMENT OF MEETING**

The Cathaoirleach proposed that the business of the Council Meeting be adjourned for a period of ten minutes. The Members unanimously agreed to the proposed adjournment.

#### **81. CONFIRMATION OF MINUTES**

On the proposition of Councillor Brian Stanley, which was seconded by Councillor David Goodwin, it was unanimously agreed that the Minutes of the Meeting of Laois County Council held on the 29<sup>th</sup> of May, 2006 as circulated be adopted and signed.

#### **82. UPDATE ON MONEY CROSS**

Replying to a query from Councillor Brian Stanley, Mr. Gerry Gibson, Director of Services outlined the updated position in relation to the carrying out of road works at Money Cross.

#### **83. REPORT ON THE INDEPENDENT EVALUATION OF LAOIS HERITAGE PLAN**

The Members were advised that the first Heritage Plan for Laois had been prepared in 2002 and covered the period 2002-2006. That plan has been implemented by the Laois County Council Heritage Officer with the support of the Laois Heritage Forum and the Heritage Council. An independent evaluation of the plan using Heritage Council approved guidelines was commissioned and the Members were circulated with a copy of the full report. The consultant who carried out the evaluation, Mr David Hickie, presented a summary of the findings of the evaluation to the Members. The contents of the report were discussed at length and the Members complimented the Heritage Officer on the manner of her work.

**84. APPROVAL OF THE ELECTED COUNCIL TO THE COMPLETION OF MORTGAGE AGREEMENTS BETWEEN LAOIS COUNTY COUNCIL AND RESPOND! HOUSING ASSOCIATION, DOMINICK PLACE, AIRMOUNT, WATERFORD.**

- (a) On the proposal of Councillor John Bonham, seconded by Councillor William Aird, the Members unanimously agreed to the completion of a mortgage agreement between Laois County Council and the Respond! Housing Association for an amount not exceeding €349,982 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the construction of 4 Accommodation Units for the elderly at Greenmill Lane, Portlaoise, Co. Laois under the provisions of the Capital Assistance Scheme (CAS).**
- (b) On the proposal of Councillor Tom Jacob seconded by Councillor Paul Mitchell the Members unanimously agreed to the completion of a mortgage agreement between Laois County Council and the Respond! Housing Association for an amount not exceeding €2,575,483 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the construction of 18 Accommodation Units (9 No. 2-bedroomed and 9 No. 3-bedroomed units) at Greenmill Lane, Portlaoise, Co. Laois under the provisions of the Capital Loan and Subsidy Scheme (LSS).**
- (c) On the proposal of Councillor John Joe Fennelly seconded by Councillor Michael Lalor the Members unanimously agreed to the completion of a mortgage agreement between Laois County Council and the Respond! Housing Association for an amount not exceeding €396,078 in accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the construction of 4 Accommodation Units for the elderly at Kiln Lane, Mountrath, Co. Laois under the provisions of the Capital Assistance Scheme (CAS).**
- (d) On the proposal of Councillor Michael Lalor seconded by Councillor John Joe Fennelly the Members unanimously agreed to the completion of a mortgage agreement between Laois County Council and the Respond! Housing Association for an amount not exceeding €2,557,128 in**

accordance with Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 for the construction of 16 Accommodation Units (16 No. 3-bedroomed units) at Kiln Lane, Mountrath, Co. Laois under the provisions of the Capital Loan and Subsidy Scheme (LSS).

**85. APPROVAL OF THE ELECTED COUNCIL TO THE RAISING OF THE FOLLOWING LOANS FROM THE HOUSING FINANCE AGENCY PLC.**

- (a) On the proposal of Councillor Mary Sweeney seconded by Councillor Tom Jacob the Members unanimously agreed to the raising of a loan not exceeding €2,575,483 from the Housing Finance Agency Plc. for the construction of 18 housing units at Greenmill Lane Portlaoise, Co. Laois by Respond! Housing Association, Airmount, Dominick Place, Waterford in accordance with the provisions of the Capital Loan and Subsidy Scheme.
- (b) On the proposal of Councillor Mary Sweeney seconded by Councillor Tom Jacob the Members unanimously agreed to the raising of a loan not exceeding €2,557,128 from the Housing Finance Agency Plc. for the construction of 16 housing units at Kiln Lane, Mountrath, Co. Laois by the Respond! Housing Association, Airmount, Dominick Place, Waterford in accordance with the provisions of the Capital Loan and Subsidy Scheme.

**86. APPROVAL OF THE ELECTED COUNCIL TO THE RAISING OF THE FOLLOWING LOANS FROM THE HOUSING FINANCE AGENCY PLC.**

On the proposal of Councillor John Joe Fennelly seconded by Councillor Larry Kavanagh the Members unanimously agreed to the raising of a loan not exceeding €901,130 from the Housing Finance Agency Plc. in respect of the issuing of mortgage finance for 6 housing units at Churchfield, Castletown under the provisions of the Affordable Housing Scheme.

**87. REPORT ON AREA MEETINGS HELD FOR NOTING.**

The Members noted the reports which had been circulated to them relating to the business that had been conducted at the Portlaoise Electoral Area meeting that had been held in May 2006, and the Mountmellick, Emo and Luggacurran Area Meetings that had been held in June 2006.

**88. NOTICE OF THE INTENTION TO CARRY OUT A REVIEW OF THE EXISTING "GENERAL DEVELOPMENT CONTRIBUTION SCHEME." AND TO PREPARE A DRAFT "SUPPLEMENTARY DEVELOPMENT CONTRIBUTION SCHEME"**

The Members noted the contents of the notice that had been issued to them indicating that it was the County Manager's intention to carry out a review of the existing "General Development Contribution Scheme" and to also prepare a draft "Supplementary Development Contribution Scheme"

**89. DRAFT PLAYGROUND PROGRAMME 2006/2007**

The Members welcomed the programme and complimented the Director of Services Mr. Declan Byrne and his staff on the work carried out to date. On the proposition of Councillor Brendan Phelan, seconded by Councillor Michael Moloney, the Members adopted the Draft Playground Programme 2006/2007. Mr Declan Byrne explained that this was a rolling programme for the installation of playgrounds at a variety of locations. He stated that the programme was based on the criteria contained in the Draft Co. Laois Play Plan (2006-2009). Mr. Byrne added that it is proposed to continue with the expansion of the programme in the period 2007/2008.

**90. MANAGEMENT OF PORTLAOISE LEISURE CENTRE AND PROPOSED COMPOSITION OF THE BOARD OF DIRECTORS.**

The Members agreed to the formation of a limited company that would be responsible for the management of the Portlaoise Leisure Centre. It was agreed that the Board of Directors of the company that is to be formed should be comprised as follows:-

- (a) **3 Members of Laois County Council** - To be nominated by the Members of Laois County Council.
- (b) **2 Members of Portlaoise Town Council** - To be nominated by the Members of Portlaoise Town Council.

- (c) **3 Officials of Laois County Council** - to be nominated by the County Manager.
- (d) **5 Community Representatives** (to be selected from list below).
  - a. **Laois Water Safety Representative** - To be nominated by Laois Water Safety Area Committee.
  - b. **Education Representative** - To be nominated by Schools Forum via Laois Sports Partnership
  - c. **Laois Sports Partnership** -To be nominated by the Board of Laois Sports Partnership
  - d. **Dolphin Swimming Club Representative** - To be nominated by the Dolphin Club Committee.
  - e. **High Performance Representative** -To be nominated at the discretion of the Board on its establishment
  - f. **Ball Sports Representative** - To be nominated at the discretion of the Board on its establishment.

It was agreed that the nomination of **Members of Laois County Council** to the **Board of Directors** should be deferred until the nomination of the representatives of **Portlaoise Town Council** to the **Board of Directors** had been completed.

On a related matter, **Mr Declan Byrne, Director of Services**, announced that **Laois Vocational Education Committee** has agreed in principle to accommodate a six lane running track at the **Portlaoise Senior College**. Some of the **Members** expressed concern as to the potential level of availability of the facility. Addressing these concerns the **County Manager, Mr Peter Carey**, expressed his belief that issues regarding the availability of the facility would be dealt with in partnership with the elected **Members**.

On the proposal of **Councillor Larry Kavanagh**, seconded by **Councillor Tom Jacob**, the **Members** agreed that **Mr Declan Byrne, Director of Services** should proceed with and conclude the negotiations relating to the provision and location of the proposed running track.

91. CORRESPONDENCE

Ms. Irene Delaney, Acting Senior Executive Officer, Corporate Affairs, indicated that there were no items of correspondence for consideration.

92. NOTICES OF MOTION

Notice of Motion No: 25/06 - Councillor Catherine Fitzgerald

"That this Council write to Mrs Anne Mc Cabe (Widow of Garda Detective Jerry McCabe) to acknowledge her courage, and commend her for her efforts in campaigning for truth and justice in relation to his murder".

The Members unanimously agreed that a letter should be issued to Mrs Anne Mc Cabe in this regard.

Notice of Motion No: 26/06 - Councillor William Aird

"That this Council write to the I.D.A. seeking the attendance of the Chief Executive Officer at a meeting of the Council at the earliest possible opportunity to outline the plans that the I.D.A. have for County Laois".

This motion was seconded by Councillor Martin Phelan and the Members agreed that a letter should be issued to the I.D.A. in this regard.

Notice of Motion No: 27/06 - Councillor William Aird

"That this Council request the N.R.A. to review the levels of compensation that are being paid in respect of agricultural land having regard to the substantial increase in the value of such land on the open market".

The Members unanimously agreed that a letter should be issued to the N.R.A. in this regard.

Notice of Motion No: 28/06 - Councillor William Aird

"That this Council write to the Minister for Agriculture urging her to ensure that the beet growers and hauliers who have been affected by the demise of the sugar beet industry receive the benefit of the lions share of the compensation package negotiated by the Minister".

The Members unanimously agreed that a letter should be issued to the Minister for Agriculture in this regard.

Notice of Motion: 29/06 - Councillor Michael Moloney

"That Laois County Council make available to the public the full car parking facilities at County Hall for inter county matches held at O'Moore Park"

Ms. Irene Delaney, Acting Senior Executive Officer, Corporate Affairs, replied to this motion as follows:

Patrons attending inter county matches at O'Moore Park and other events that attract large crowds to Portlaoise have access to the car parking facilities that are generally available to Members of the public. Access to the restricted parking areas is restricted to Council employees and persons attending functions or events that are being facilitated by the Council.

There are a number of reasons for which it is not possible to permit access to the areas where parking at Áras an Chontae is restricted. Security and insurance reasons are the chief reasons that such access cannot be granted. Advice has been received from the Council's insurers that in the event of damage being caused to property or injury being suffered by persons using the restricted areas the Council might be liable. Insurance claims would not be covered unless that it can be demonstrated that they were attending functions or events that were being facilitated by the Council.

For these reasons it is not recommended that the use of parking facilities in the restricted areas be extended to cover occasions when persons are attending inter county matches at O'Moore Park.

Notice of Motion: 30/06 - Councillor James Deegan/Councillor Mary Sweeney

"That Laois County Council call on the Minister of the Environment, Heritage and Local Government to make adequate resources available for a comprehensive update of the Register of Electors"

Ms. Irene Delaney, Acting Senior Executive Officer, Corporate Affairs, replied to this motion as follows:



The Members will be aware of the enormous effort that is made each year to ensure that the Register of Electors that is compiled in is as accurate as possible. There are a number of factors which are not within the Council's remit that contribute to the fact that there are inaccuracies with the compilation of the Register. The single greatest such factor is the absence of the use of a unique identifier such as the PPSN.

Laois County Council is making arrangements to carry out a detailed updating exercise that should result in a much improved accuracy rate in respect of the Register of Electors and in that regard the following are some of the measures that are being undertaken.

Two employees will be assigned on a full time basis in the short term to conduct the administrative work that is necessary to compile the Register of Electors. These employees will use all means at the Council's disposal to determine what amendments to the Register are required.

Field Workers will be appointed in the coming weeks who will conduct door to door enquiries which will feed into the compilation of the Register.

The Members of Laois County Council, Mountmellick Town Council and Portlaoise Town Council will be invited to contribute to the success of the exercise in recognition of their detailed knowledge particularly relating to the areas that they represent.

Notification has been received by the Council that additional funding will be provided in order to ensure that the Register of Electors is as accurate as it possibly can be. At national level a Steering Group involving all of the stakeholders involved is examining all of the options that might be used to improve the compilation process and other matters relating to the Register of Electors.

Any other steps that are identified which can contribute to improving the accuracy of the Register of Electors will also be implemented.

Notice of Motion: 31/06 - Councillor James Deegan

"That Laois County Council request the Minister for Justice to introduce legislation to protect emergency fire and ambulance personnel in the course of their duty"

This motion was seconded by Councillor Mary Sweeney  
The Members unanimously agreed that a letter should be issued to the Minister for Justice in this regard.

Notice of Motion: 32/06 - Councillor Brian Stanley

"That the roadside drainage be improved on those sections of rural roads that are being resurfaced and also where such roads are prone to flooding"

This motion was seconded by Councillor Ray Cribben.

Ms. Irene Delaney, Acting Senior Executive Officer, Corporate Affairs, replied to this motion as follows:

It is the common practice of the Local Authority and indeed in accordance with DOE Guidelines on the Surface Restoration of Non-National Roads that before any resurfacing works are carried out that any gullies or inlets blocked, any SW pipes that are broken or any culverts that have collapsed, are reinstated, repaired or replaced. In the case of areas of rural roads prone to flooding, the issue of maintenance of County Roads is a major question and the maintenance of our surface water systems is a critical element in this process. The area staff do as much as they can physically within the resources available to the area to resolve such difficulties but unfortunately the situation is far from satisfactory.

Notice of Motion: 33/06 - Councillor Tom Jacob

"That this Council explore the possibility of twinning County Laois with Franklin County in the state of Tennessee in the U.S.A."

This motion was seconded by Councillor Jerry Lodge.

This concluded the business of the meeting;

Signed Seas Sam Deag Anna Maria Deag  
Seas Cathaoirleach Director of Corporate Affairs