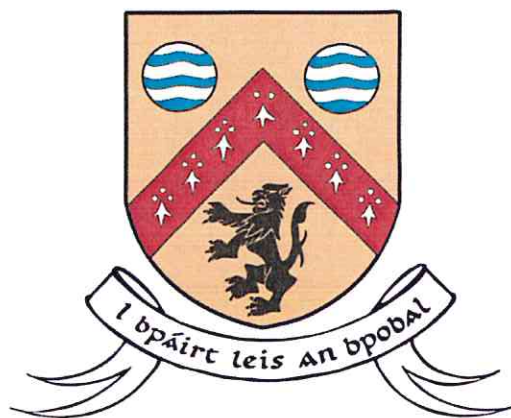

LAOIS COUNTY COUNCIL

SUBMISSION TO THE CARLOW BOUNDARY COMMITTEE



February 2016

TABLE OF CONTENTS

- 1. LEGAL BASIS OF BOUNDARY REVIEW**
- 2. AREA OF INTEREST**
- 3. SETTLEMENT BACKGROUND**
- 4. COMMUNITY FACILITIES**
- 5. PREVIOUS ELECTORAL AREA REFORM**
- 6. INFRASTRUCTURAL INVESTMENT**
- 7. KEY POINTS**
- 8. SUMMARY OF SUBMISSION**
- 9. ELECTED MEMBERS OF LAOIS COUNTY COUNCIL**
- 10. APPENDICES**
 - a. Terms of Reference for Boundary Committee**
 - b. Checklist of Documents**
 - c. Financial Impact Data**

1. LEGAL BASIS

Minister Alan Kelly has established the Carlow Boundary Committee under Section 28 of the Local Government Act, 1991. In accordance with Sections 32 & 33 of the Local Government Act 1991, the committee is required to carry out a review of the boundary in Graiguecullen between Carlow County Council and Laois County Council.

The purpose of the review is to identify the most appropriate administrative boundary between the two local authorities that would be required to meet the interest of effective and convenient local government.

Under the standard framework for evaluation for Local Authority Boundary Reviews there is provision for public consultation to inform the work of the committee. It is further recognised that the elected members in the affected areas are key stakeholders in the consultation process as they represent the citizens in the area under consideration.

2. AREA OF INTEREST

The area of interest is shown in Figure 1 and comprises an area of 1,342 acres. This includes the townland of Graigue and portions of the Crossneen, Monure, Olderrig, Springhill, Ballykillen, Derrymoyle and Sleaty townlands. This area is referred to as Graiguecullen in this submission.

3. SETTLEMENT BACKGROUND

Lands to the west of the River Barrow in Graiguecullen were developed as early as the mid-seventeenth century. Parts of Graiguecullen Bridge linking the area to Carlow Town are said to date to 1569. Graiguecullen has strong functional links with Carlow Town, but the River Barrow is a strong cultural boundary in people's minds between Graiguecullen and Carlow Town. Graiguecullen covers the Carlow/Laois boundary and is divided between two electoral districts: Graigue Urban (Carlow) and Graigue Rural (Laois). The older part of Graiguecullen beside Graiguecullen Bridge is known locally as Graigue Village and is administered by Carlow Town Council, the newer parts of Graiguecullen are administered by Laois County Council.

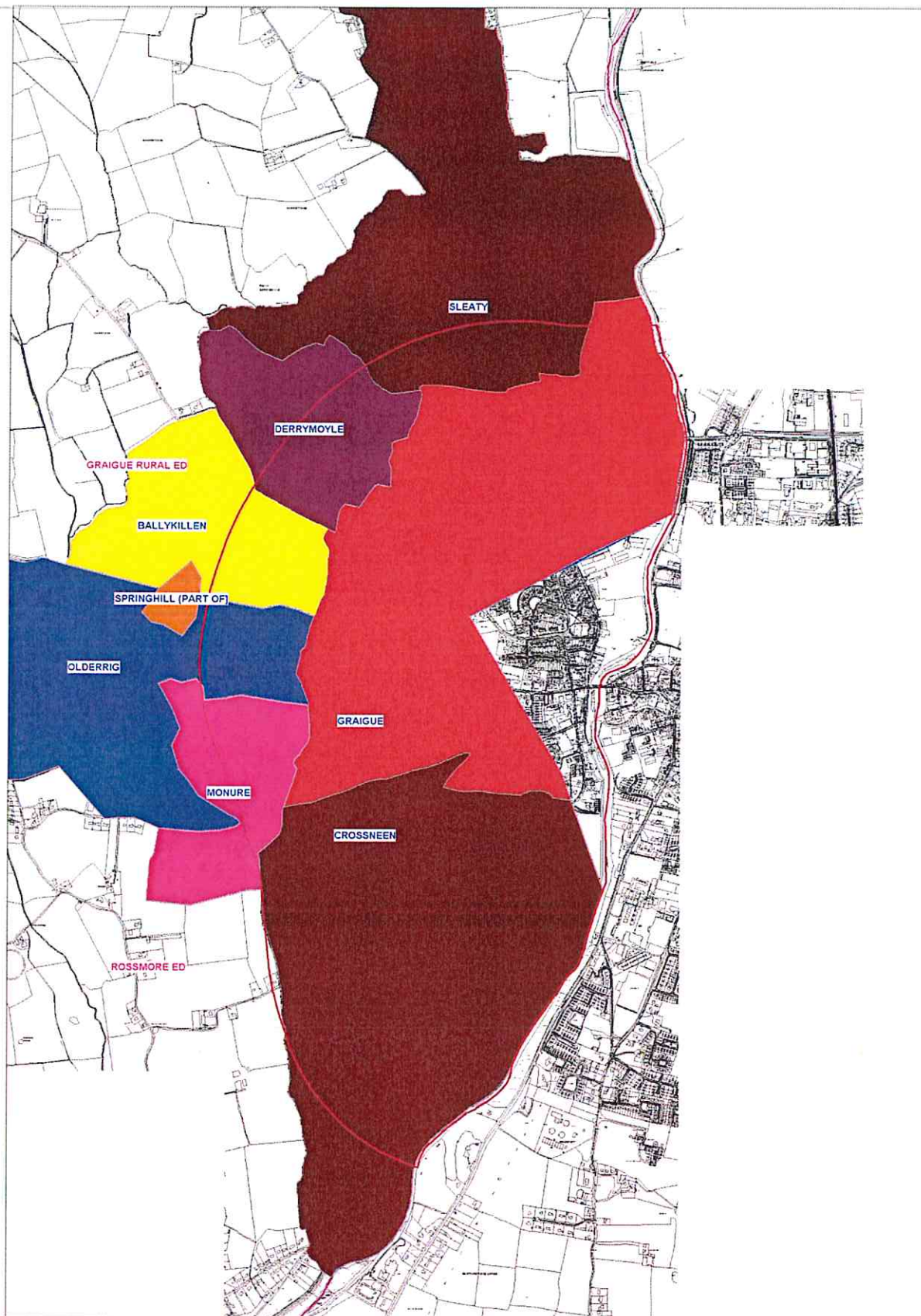


FIGURE 1: Ordnance Survey Map of the Area of Interest

4. COMMUNITY FACILITIES

Graiguecullen is the third largest town in County Laois and as such is an important contributor to the economy of Co. Laois and to the wellbeing of its citizens. Graiguecullen Laois has a population in excess of 4,200 (2011 Census), this is an increase of 45% on the 2006 figures. Graiguecullen Carlow has a population of 1,276 (2011 Census), this is a decrease of 15% on the 2006 figures.

The area of interest includes important social and economic infrastructure including the Talbot Hotel, a pharmacy, a doctor's surgery, along with a Retail Park which includes Dunnes Stores & The Dome, all located inside the Northern Relief Road. Other important facilities include an Educate Together Primary School, Saint Fiacc's National School, the Killeshin Church of Ireland, an agri-business depot, Graiguecullen GAA Club and sports grounds, the Laois County Council Customer Services Office and a petrol service station. Graiguecullen Laois also contains other commercial users in the Shamrock Business Park located off the Castlecomer Road and off the Sleaty Road.



Figure 2: Retail Park Graiguecullen



Figure 3: Talbot Hotel Graiguecullen.

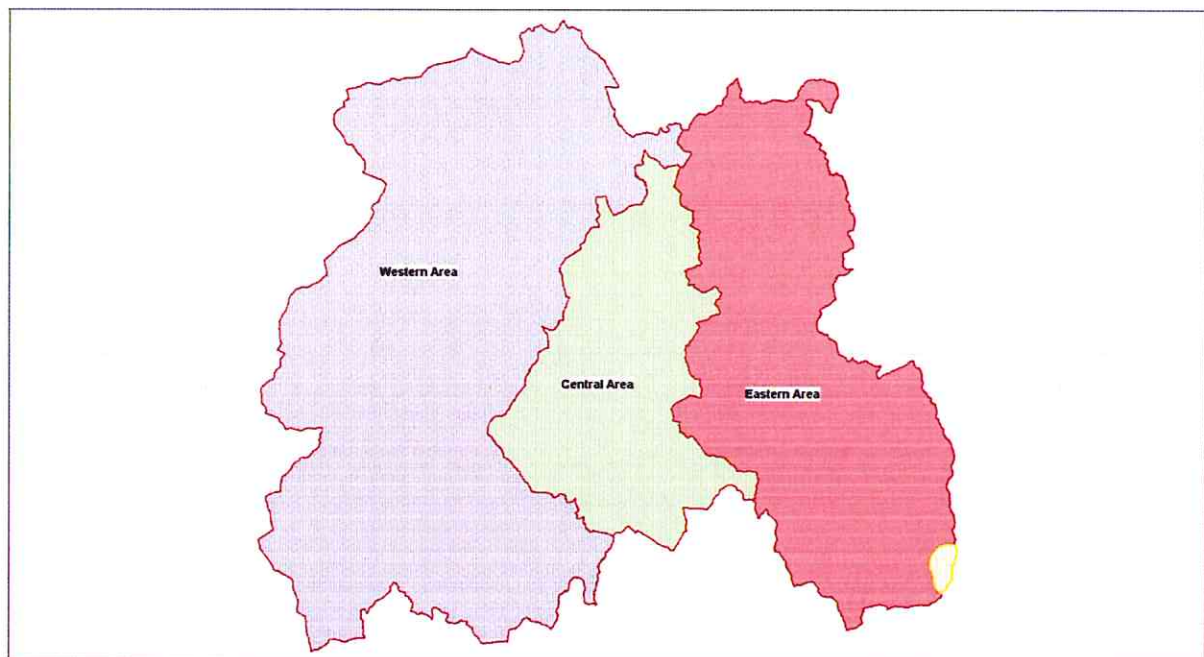


Figure 4: The Municipal Districts of Co. Laois with the Area of Interest highlighted in yellow

5. PREVIOUS ELECTORAL AREA REFORM

Paragraph 5 (b) of the Local Government (Boundaries) (Town Elections) Regulations 1994, S. I. No. 114 of 1994, altered the boundary of Carlow Town to include part of the electoral division of Graigue Rural (Laois) in County Carlow for the purpose of local elections. This resulted in approximately 598 electors, although living in the administrative area of Laois, not being able to participate in the election of Councillors to Laois County Council. Instead, they voted for Members of Carlow County Council and Carlow Town Council, who did not represent them. In effect, these electors were disenfranchised. This situation was subsequently changed in the County of Laois Local Electoral Areas & Municipal District Order 2014, S.I. No. 54 of 2014 dated January 31st 2014.



Figure 5: River Barrow, Graiguecullen, Co Laois

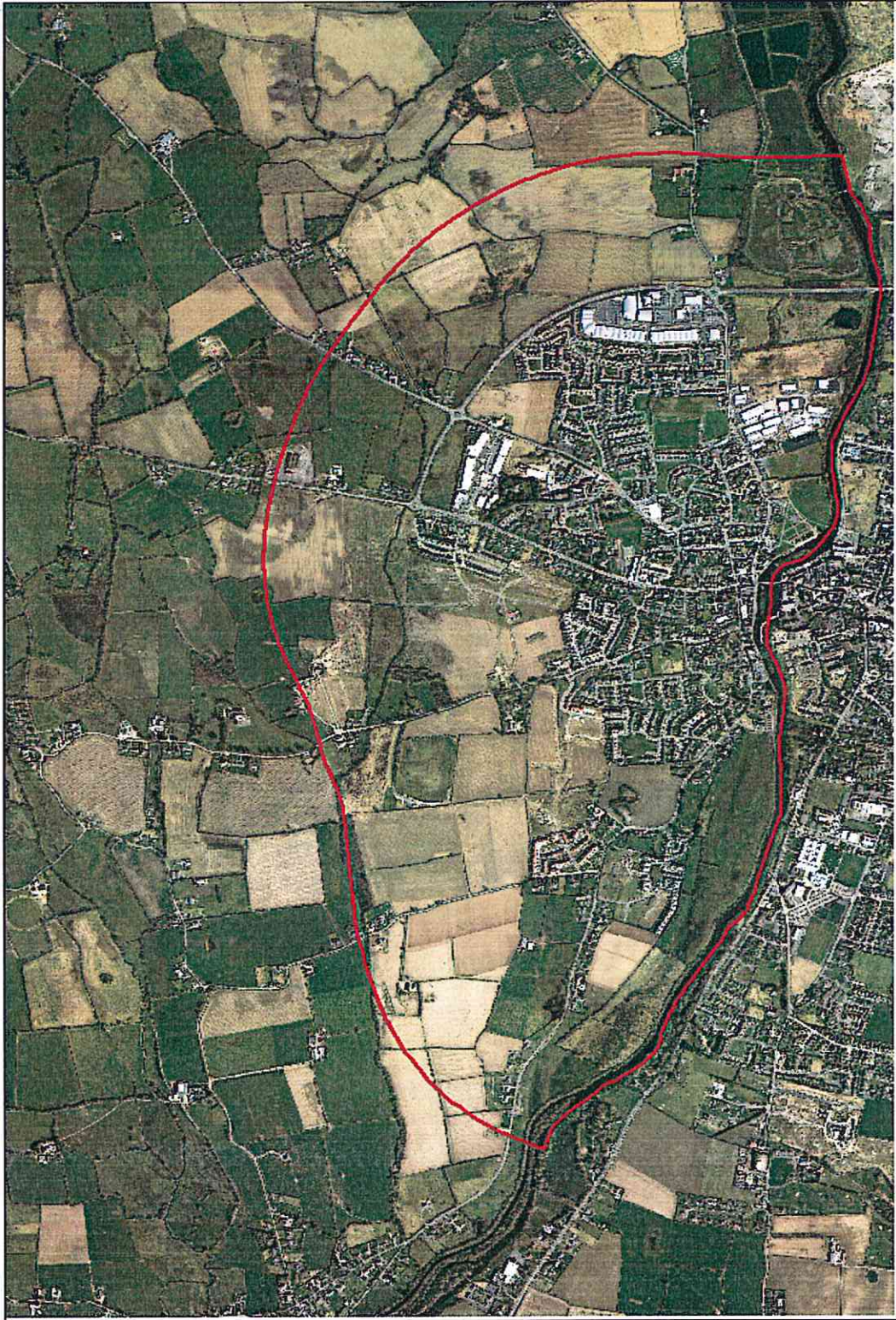


FIGURE 6: Aerial Image of the Area of Interest.

6. INFRASTRUCTURAL INVESTMENT

Recent infrastructure investment in Graiguecullen Laois has brought considerable benefits. These include:-

- The laying of fibre broadband along the Northern Relief Road and Sleaty Road
- The development of a drinking water borehole at Springhill County Laois supplying potable water to domestic and commercial users in Graiguecullen Laois and strengthening potable water security for the wider urban area as a whole. The water source caters for existing demand of 1,100 cubic metres per day and has spare capacity for an additional 500 people.
- The development of the Northern Relief Road and the extension of this road southwards from the Castlecomer Road to the Numbers Road funded by way of development contributions.

7. THE CASE AGAINST AN ADMINISTRATIVE BOUNDARY EXTENSION HAVING GIVEN FULL CONSIDERATION TO THE TERMS OF REFERENCE OF THE REVIEW

Having given full consideration to the terms of reference of the review, the elected members are requesting that the Boundary Committee takes full account of the following specific points:

1. A proposed administrative boundary is contrary to the wishes of the elected members of County Laois who aspire to maintain the existing administrative boundary.

- The members of Laois County Council elected to represent the people of Graiguecullen and Co. Laois are unanimous in their opposition to any proposal to extend the Carlow Boundary into County Laois.
- There has been no public demand for a change to the existing boundary, nor has the issue been raised at any public meeting of Laois County Council, nor it is understood at any meeting of Carlow County Council.
- Laois County Council contends strongly that a migration in excess of 4,200 people in the community of Laois to a new administration under Carlow County Council would weaken political representation in the area, lead to electoral confusion, lead to a loss of critical mass and undermine the Countywide representation power of Laois on a regional or national setting.

2. *A proposed administrative boundary change is unnecessary as administrative structures are already in place to ensure that efficient and effective co-operation exists between Carlow County Council and Laois County Council.*

- The area of Graiguecullen has been pragmatically administered and managed by 2 Local Authorities collaborating for over 100 years. It is a well run and cohesive entity.
- Maintenance of the current local government arrangements, reinforced by the excellent co-operation that exists between the authorities meets the challenges of positioning the area to develop sustainably. A boundary change would be unwarranted and unnecessary.
- There are a number of successful joint working initiatives in place between both Local Authorities whereby greater synergies are achieved across a range of Local Authority functions.
- The Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018 forms the primary planning policy framework for Carlow Town and its Environs including Graiguecullen County Laois. The Joint Plan is the first of its kind nationally comprising a Carlow Town Development Plan (adopted by the former Carlow Town Council), Graiguecullen Local Area Plan (adopted by Laois County Council) and Carlow Town Environs Local Area Plan (adopted by Carlow County Council). The Joint Plan is notable in that it crosses county and regional boundaries and is consistent with the Midlands Regional Planning Guidelines and the South East Regional Planning Guidelines. This structure and approach provided the opportunity for the elected members supported by their officials to drive the strategic development of the urban area collaboratively while retaining ownership of the detailed development and management of their functional areas. The adoption of this Joint Plan demonstrates the good working relationship between the local authorities concerned and indicates that the existing county boundary at Graiguecullen is not a barrier to the proper planning and sustainable development of this urban area. The Plan was short-listed for an Irish Planning Institute Planning Award for Innovation in Plan-Making and Procedures.

- Meetings are held regularly between the elected members of the Carlow and Laois Municipal Districts that administer the urban area. At these meetings officials from both local authorities present reports on matters of common interest for further consideration.
- Good working relationships also exist between the Laois and Carlow Partnership Companies and these organisations have worked together productively on many projects. For example, Laois Partnership Company and Carlow Partnership Company used the county and regional boundary status of Graiguecullen to successfully drawdown EU funding to develop an Activity Centre for the elderly at Saint Fiacc's House in Graiguecullen Carlow. The operation of this Activity Centre helps to foster community cohesion within Graiguecullen and surrounding areas. Joint Cross County Projects under the LEADER Programme are funded through an extra co-operation budget. This funding is centrally managed and is in addition to the LEADER allocation in each county. Graiguecullen would not be able to avail of this funding if it was entirely located in the Carlow area.
- Carlow and Laois Local Authorities sought and were awarded funding to make the Town more pedestrian and cycle friendly under the Active Travel Town Scheme. The grant of nearly €1 million was one of the highest in the country. Of the €1 million, around €300,000 was allocated to works in Graiguecullen, County Laois. Officials from Carlow and Laois worked together on the funding application which proposed works envisaged in the Joint Spatial Plan. The cross-boundary nature of the application helped in securing the grant award. These types of initiatives will gain us access to bid for new resources.
- There are good working relationships between the officials of Carlow and Laois local authorities and also good working relationships between the elected members of Carlow and Laois Local Authorities. There is ongoing liaison between the Laois County Council Area Engineer and the Carlow Town Engineer on matters of mutual concern including road works programme, issues with cross county roads and also recently on flooding issues where sections of roads flooded straddled both counties. This ensures that working practices function at all levels to form jointly developed structures and processes that avoid duplication, additional costs and conflicting strategies.

-
- While Laois County Council and Carlow County Council are the Housing Authorities for their respective Counties, there is a history of collaboration in terms of housing services in the Graiguecullen area. Under a Section 85 agreement Carlow and Laois County Councils successfully collaborated in the construction of 96 houses (social and voluntary) in Tommy Murphy Park, Fruithill, Graiguecullen, which is in the 'area of interest'. The estate management of this estate is the joint responsibility of the Laois and Carlow housing authorities.
 - Carlow County Fire & Rescue Service provides the first turnout for all emergency calls requiring a fire service response to the Graiguecullen, Ballickmoyler, Arles and Killeslin areas of Co. Laois in accordance with the principles of nearest fire station response as outlined in the "Keeping Communities Safe" published by DECLG in 2013. This arrangement has been formalised by a section 85 agreement between Laois and Carlow County Councils.

Independent Comments

- ***DECLG 27/04/12 - "The Department welcomes the preparation of a Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area. The local authorities concerned are to be commended for taking such an initiative which will yield significant efficiencies in delivering quality planning services across local authority boundaries"***
- ***Midlands Regional Authority 27/04/12 - "The Joint Spatial Plan is a comprehensive document that represents cross-boundary cooperation and rationalisation of complex procedural issues. In this regard the collaboration, innovation and significant effort by the forward planning sections of Carlow and Laois County Councils is clearly visible in the draft document now on public display. The Midland Regional Authority acknowledges this pioneering work and welcomes this holistic approach"***

- *South East Regional Authority 24/04/12 - "The South East Regional Authority acknowledges the collaborative involvement of three planning authorities in the preparation of this Draft Carlow Town Development Plan on a shared-service basis. The SERA recognise that emphasis has been placed on the unitary functioning of the Greater Carlow Urban Area rather than the traditional focus on administrative areas and this new approach is welcome"*
- *EPA 16/04/12 - "The Environmental Protection Agency acknowledges the very comprehensive Plan and associated SEA, AA, SFRA. The Plan provides a strong commitment to developing the Plan area in a co-ordinated manner between the respective local authorities. This integrated approach to plan-making is both welcome and acknowledged"*

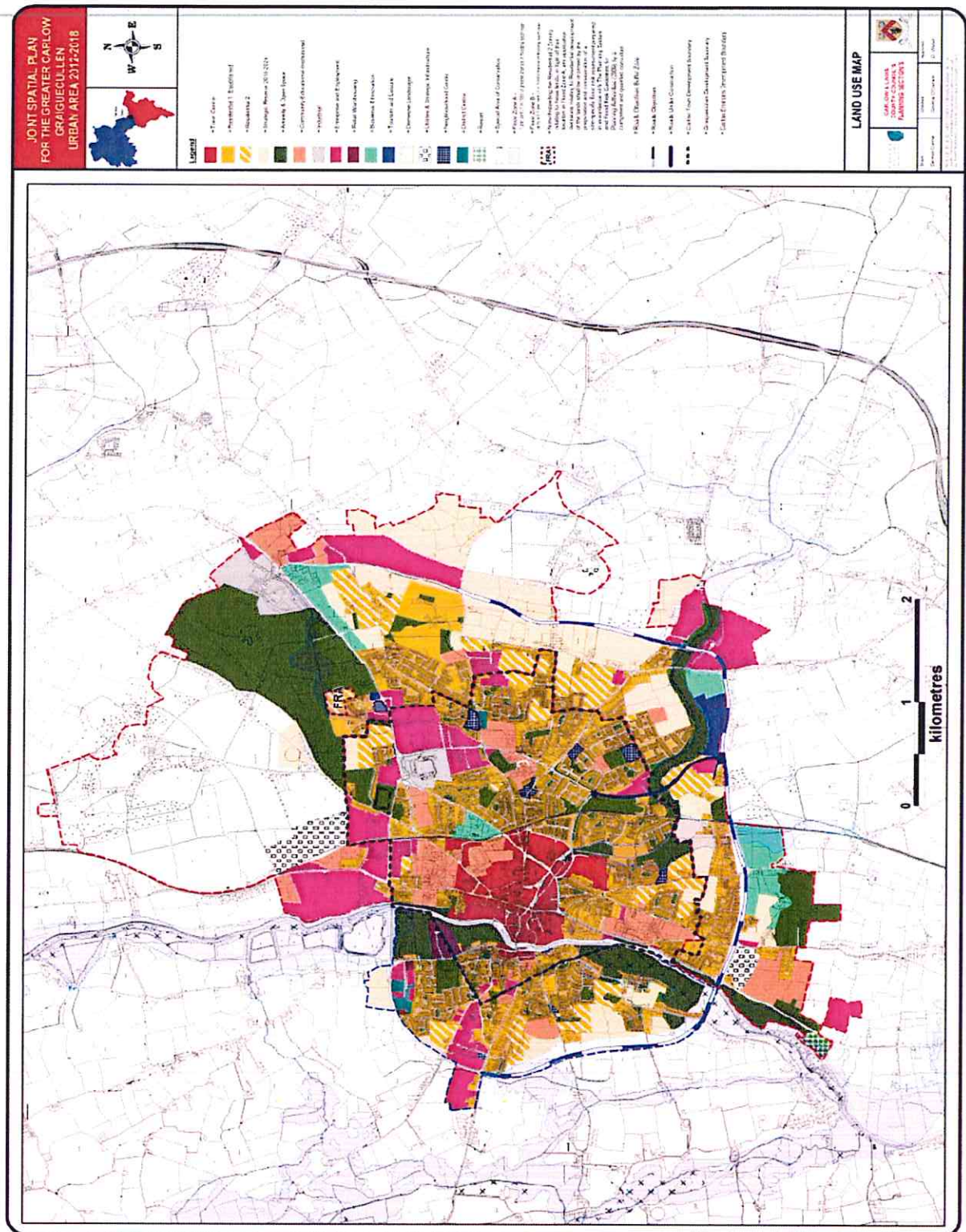


FIGURE 7: The Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018.

3. A proposed administrative boundary change will undermine the recent Municipal District structures introduced through Putting People First: Action Programme for Effective Local Government

- The Local Government (Reform) Act of 2014 introduced significant changes to the structure of Local Government in Ireland including abolition of Town Councils, Borough Councils and the introduction of Municipal Districts on a statutory basis. These changes were made on foot of the Local Electoral Area Boundary Committee Report 2013 and follow significant engagement with the Local Authority Members Association and the Association of Municipal Authorities of Ireland.
- The 2013 Report examined such matters as the merging of Local Authorities, formation of Municipal Districts, Town Government and was explicit in its terms of reference in taking full account of 'local community identities and linkages'. In the course of the committee's work, clarification was provided by the Minister for the Environment, Community & Local Government regarding the electoral boundaries that are to apply in respect of Counties Carlow and Laois. The Minister asked the committee in a letter dated the 16th of April 2013 to have regard to the County boundaries concerned when making recommendations for Counties Carlow and Laois. The reason for same was to have regard to the Action Programme for Effective Local Government and in particular the Government's decision to integrate town & county governance. An opportunity, therefore, existed at that time (2012-2013) to not alone examine electoral area boundaries but also to examine the scale, size, management and administration of Local Authorities in general. It was evident that the Local Government Reform Act, 2014 did not see fit to make any recommendations in relation to administrative boundary changes. In other words there were no compelling reasons in the years 2011 to 2014 to consider, suggest or recommend a change to the administrative boundary at Graiguecullen. Little has since changed. It is incomprehensible, therefore, to the Elected Members of Laois County Council, why a far reaching review of the administrative boundary between Laois and Carlow would now be a consideration so soon after the Minister's request of the

16th April 2013 and the profound changes to Local Authority structures, introduced by Statute in June 2014.

- The 'area of interest' at Graiguecullen and Carlow Town crosses two national, economic and planning regions. It is the Council's view that this is an important consideration and that in order to ensure an even and consistent application of regional policies the existing administrative boundary should remain in place.
- The level of representation in Co. Laois was determined on the current population within the administrative areas and any change to the boundaries of these districts will unbalance the existing administrative and political structures.
- The area of Graiguecullen would be affected through the loss of BMW funding if the boundary is changed.

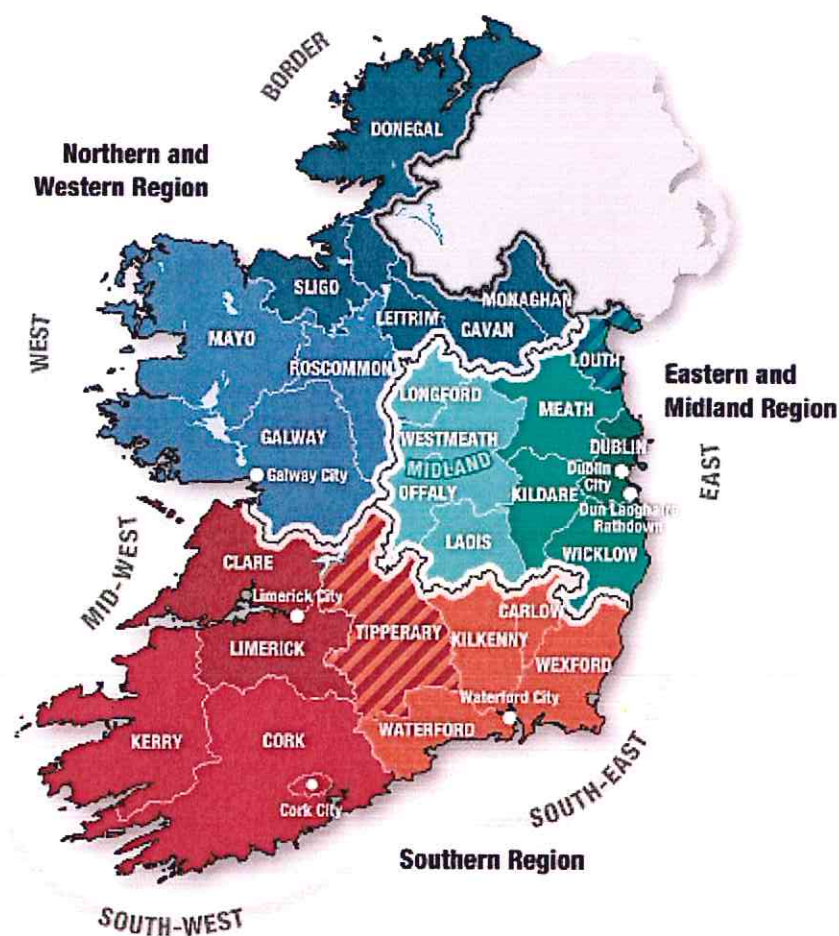


Figure: The Regional Assembly Boundaries

4. *A proposed change to the administrative boundary will be detrimental to the economic development of Co. Laois.*

- The prospective loss of administrative geographical area containing sites zoned for enterprise and economic activity would have a profound impact on the economic and job creation capacity of County Laois and would undermine at a very critical point in time the County's ambition and objective as set out in the Local Economic & Community Plan and Action Plan for jobs.
- Laois County Council sees its proximity and land boundary with the third level education campus at I.T. Carlow as a major asset for attracting inward investment and business/education partnerships in County Laois. This connection is central to building better relationships in this area and is a central plank of the Council's Economic and Cultural Development Programme.
- Laois as the fastest growing County (2011) census was identified as a 'County Town' in the 2002-2020 National Spatial Strategy. In addition, the strategy indicated that Portlaoise 'additionally has strong national development potential as a transport hub and distribution centre or inland 'port' given its location on several national road and rail routes. As such the administration area of County Laois needs to draw its strength from its County town and the cumulative strength of urban centres of Portarlinton, Graiguecullen, Mountrath, Mountmellick, Rathdowney, Durrow, Abbeyleix and Stradbally. It is evident that Graiguecullen is a vital cog in this sense and that the loss of Graiguecullen as an important economic and cultural entity would deal a serious blow to the economic, social and cultural well being of the County. Furthermore, Laois County Council would argue that against the backdrop of its designation under the National Spatial Strategy, the loss of Graiguecullen would represent a profound injustice to the County and would set it on the back foot in addressing current economic and job creation challenges in the County. The National Spatial Strategy remains the primary National Policy Document in relation to sustainable development in Ireland. Although it is 12 years old, the perspectives of the NSS are still valid.

- A unique strategic development area will be removed from the Laois County Council administrative area. The Graiguecullen area provides a most attractive location for large scale business and industrial development as it has significant infrastructural and environmental capacity.
- The administrative area will no longer have development land adjacent to existing foreign direct investment companies in Carlow: Merck Sharpe and Dohme pharmaceutical company and Unum software company.
- Laois County Council will not receive the economic benefit from the significant capital infrastructure investment it has made in this area in recent years.
- County Laois will lose its immediate proximity to a Third level institute and the opportunity for near-campus incubation units within the administrative area.
- The opportunity for economic development from the availability of fibre broadband along the Northern Relief Road and Sleaty Road in close proximity to vacant retail warehousing units will be lost to County Laois.

5. A proposed change will impact negatively on the image and identity of County Laois.

- The Gaelic Athletic Association in County Laois is vehemently opposed to a boundary alteration, being of the view that a local government boundary change will also affect boundaries for games and cultural purposes.
- During the recent consultation process for the LECP strong submissions were received on the identity of the Graiguecullen area and its importance within the Co. Laois administrative area.
- The removal of the Graiguecullen area could have a disproportionately negative effect on the overall third-level attendance rates of the administrative area.
- The removal of the Graiguecullen area would have a disproportionately negative effect on the overall level of unemployment within the administrative area.
- A proposed change to the administrative boundary will lead to increased leakage of Laois retail convenience expenditure outside the Laois County Council administrative area.

6. *A proposed administrative boundary change will increase the cost of public services in Co. Laois*

- It is certain that an administrative boundary change taking in the 'area of interest' will not pass a financial/business test. Laois County Council would be at a substantial loss in terms of revenue, legacy capital and further opportunities foregone were it the case that the Local Government boundary was to be adjusted. The details are set out in the Appendix C Financial Impact Data. A boundary change with its transfer of responsibility for the delivery of services will give rise to financial issues. This is recognised in the Terms of Reference of the Committee.
- An administrative boundary change could result in increased commercial rates for rate paying premises in the area of interest. The knock on effect, as a result of loss of rates income to Laois County Council, will inevitably lead to pressure to increase rates and local property tax for all rate payers and households in County Laois.
- The boundary change will result in a loss of income to Laois County Council from commercial rates, local property tax, development contributions and rents.
- The loss of income will be disproportionate to the reduction in population as a result of the change.
- There is a need for a "Due Diligence" exercise before the financial elements of any report are completed. There is limited data available from which to draw empirical conclusions. Without "Due Diligence" it is impossible to say what the total financial outcome could be.
- Both Local Authorities have already made significant efficiency savings and continue to do so, most future savings will come from National or Regional Provision of shared services, and not from a boundary change.
- Notwithstanding the financial impact, any boundary change is of such an injurious nature, that Laois County Council would not countenance the matter further as it is beyond financial compensation.

7. A proposed administrative boundary change will be detrimental to the quality of life for residents in Graiguecullen who have benefited to date from significant capital infrastructure investment and sustainable planning policy under the stewardship of Laois County Council.

- Laois County Council staff members are ideally positioned to deal with the general upkeep, emergency works and the carrying out of road improvements in the Graiguecullen area. The Graiguecullen/Portarlinton Municipal District headquarters is based in Sleaty Road in Graiguecullen. Many local services are provided from this office. Area Management and Technical Staff operate from this location. In addition, 9 roads outdoor staff members are also based here. This roads Area had a budget of approximately €2.5 million in 2015 excluding capital works.
- Laois County Council has in 2015/2016 progressed an extension to the Carlow Northern Relief Road (CNRR) from the Castlecomer Roundabout to the Numbers Road. Design works were carried out in house with the new section of road extending to 750m in length. In addition, 200m of the Numbers Road will also be widened close to the current boundary with Carlow. The new works include public lighting, cycle tracks and footpaths along the new sections opening up this section of Graiguecullen enabling easy, quicker and more time dependent access to the extent of the CNRR, N80, M9 and the surrounding road network. The total scheme cost, currently nearing completion, will be of the order of €3 million and demonstrates beyond question Laois County Council's commitment to improving road infrastructure in the Graiguecullen region.
- Laois County Council has committed significant resources in the recent construction of a water treatment plant and reservoir at Derrymoyle (€2.435 million) to provide a sustainable and safe water supply to the Graiguecullen area. A further sum of €569,000 has been invested for other water services infrastructure in this area.

- Laois County Council's stewardship of Graiguecullen Laois in the performance of its planning functions has resulted in a compact urban structure and the existing and planned northern relief road (N80 and R924) has been used as a strong development boundary. Carlow Local Authorities have taken a more expansive approach to the development of the urban area with extensive green field zonings outside existing and planned outer relief roads.
- The Graiguecullen area currently under the administrative control of Carlow County Council has significant and extensive dereliction therein, particularly in comparison to the more vibrant area managed and supported by Laois County Council. This has been reflected in significant depopulation of the former area (reduced from 1,501, in the 2006 census to 1,276, in the 2011 census)



Figure 9: Water Treatment Plant, Derrymoyle, Graiguecullen.

8. SUMMARY OF SUBMISSION

- The Local Government (Reform) Act of 2014 introduced significant changes to the structure of Local Government in Ireland including abolition of Town Councils, Borough Councils and the introduction of Municipal Districts on a statutory basis. These changes were made on foot of the Local Electoral Area Boundary Committee Report 2013 and following significant engagement with the Local Authority Members Association and the Association of Municipal Authorities of Ireland. The 2013 Report examined such matters as merging of Local Authorities, formation of Municipal Districts, Town Government and was explicit in its terms of reference in taking full account of 'local community identities and linkages'. An opportunity, therefore, existed at that time (2012-2013) to not alone examine electoral area boundaries but also to examine the scale, size, management and administration of Local Authorities in general. It was evident that both the Local Electoral Area Report of 2013 and the Local Government Reform Act, 2014 did not see fit to make any recommendations in relation to administrative boundary changes. In other words there were no compelling reasons in the years 2011 to 2014 to consider, suggest or recommend a change to the administrative boundary at Graiguecullen. Little has since changed. It is incomprehensible, therefore, to the Elected Members of Laois County Council, why a far reaching review of the administrative boundary between Laois and Carlow would now be a consideration so soon after the profound changes to Local Authority structures, introduced by Statute in June 2014.
- The Members of Laois County Council elected to represent the people of Graiguecullen & County Laois are unanimous in their opposition to any proposal to extend the Carlow Boundary into County Laois.

-
- It is certain that an administrative boundary change taking in the 'area of interest' will not pass a financial/business test. Laois County Council would be at a substantial loss in terms of revenue, legacy capital and further opportunities foregone were it the case that the Local Government boundary be adjusted. The details are contained in Appendix C Financial Impact Data. A boundary change, with its transfer of responsibility for delivery of services will give rise to financial issues. This is recognised in the Terms of Reference of the Committee.
 - The prospective loss of an administrative geographical area containing sites zoned for enterprise and economic activity would have a profound impact on the economic and job creation capacity of County Laois and would undermine at a very critical point in time the County's ambition and objective as set out in the Local Economic & Community Plan and Action Plan for jobs.
 - Laois County Council sees its proximity and land boundary with the third level education campus at I.T. Carlow as a major asset for attracting inward investment and business/education partnerships in County Laois. This connection is central to building better relationships in this area and is a central plank of the Council's Economic and Cultural Development Programme.
 - An administrative boundary change could result in increased commercial rates for rate paying premises in the area of interest.
 - The knock on effect, as a result of loss of rates income to Laois County Council, will inevitably lead to pressure to increase rates and local property tax for all rate payers and households in County Laois.
 - In 2002, Laois County Council and Carlow County Council entered into an unprecedented working collaboration at staff and Elected Member level. This elevated level of co-operation has worked well, led to efficiencies and has been of significant benefit to over 4,200 people living in the 'area of interest'.
 - Laois County Council contends strongly that a migration of over 4,200 people in the community of Laois to a new administration under Carlow County Council would weaken political representation in the area, lead to electoral confusion, lead to a loss of critical mass and undermine the Countywide representation power of Laois on a regional or national setting.

- The 'area of interest' at Graiguecullen and Carlow Town covers three national, economic and planning regions. It is the Council's view that this is an important consideration and that in order to ensure an even and consistent application of regional policies the existing administrative boundary should remain in place.
- Laois, as the fastest growing County (2011 census) did not accrue any special designation advantage in the 2002-2020 National Spatial Strategy. Portlaoise was identified as a 'County Town' and as such the administration area of County Laois needs to draw its strength from its County town and the cumulative strength of urban centres of Portarlinton, Graiguecullen, Mountrath, Mountmellick, Abbeyleix, Rathdowney, Durrow and Stradbally. It is evident that Graiguecullen is a vital cog in this sense and that the loss of Graiguecullen as an important economic and cultural entity would deal a serious blow to the economic, social and cultural well being of the County. Furthermore, Laois County Council would argue that against the backdrop of its designation under the National Spatial Strategy, a loss of Graiguecullen would represent a profound injustice to the County and would set it on the back foot in addressing current economic and job creation challenges in the County. The National Spatial Strategy remains the primary National policy document in relation to sustainable development in Ireland, although it is twelve years old, the perspectives of the N.S.S. are still valid.
- The Elected Members of Laois County Council are of a shared view that an open democratic process should be followed in relation to the review of the administrative boundary and are seeking a meeting/engagement with the DECLG prior to the committee reporting to the Minister.

CONCLUSION

The potential income loss per annum from commercial rates is €782,531 and €120,500 from housing rents. The loss from the Local Property Tax will be €363,600 per annum at current rates, with significantly more potential loss if the remainder of the zoned area is developed for housing. Furthermore, there is likely to be a loss to Laois County Council of some element of the global valuations if an area in the County is to transfer to Carlow.

Laois County Council has invested €27.5m in infrastructural provision in the 'Area of Interest' and in the general area around Graiguecullen since 2000. The value of lost income from development contributions for residential and commercial development is estimated at over €7.5 million over a medium term horizon.

The financial impact as summarised above is but one measure of the consequence for Laois County Council. There are however additional adverse impacts on the social, cultural and economic prospects for Co. Laois which are intangible and cannot be summarised in simple monetary value metrics. Accordingly it is the position of Laois County Council that the overall injurious impact of an administrative boundary change cannot be compensated, does not lend itself to standard compensation and any attempt to do so would be an affront to the elected members of Laois County Council.

9. ELECTED MEMBERS OF LAOIS COUNTY COUNCIL

This submission is made on behalf of the elected members of Laois County Council as undersigned.

Member	Members Signature
Mr. William Aird, M.C.C.	William Aird
Mr. Paddy Bracken, M.C.C.	Paddy Bracken
Mr. Ben Brennan, M.C.C.	Ben Brennan
Ms. Caroline Dwane Stanley, M.C.C.	Caroline Dwane Stanley
Mr. John Joe Fennelly, M.C.C.	John Joe Fennelly
Ms. Catherine Fitzgerald, M.C.C.	Catherine Fitzgerald
Mr. Pdraig Fleming, M.C.C.	Pdraig Fleming
Mr. David Goodwin, M.C.C.	David Goodwin
Mr. James Kelly, M.C.C.	James Kelly
Mr. John King, M.C.C.	John King
Mr. Jerry Lodge, M.C.C.	Jerry Lodge
Mr. Seamus McDonald, M.C.C.	Seamus McDonald
Mr. Paschal McEvoy, M.C.C.	Paschal McEvoy
Mr. John Moran, M.C.C.	John Moran
Mr. Tom Mulhall, M.C.C.	Tom Mulhall
Mr. Aidan Mullins, M.C.C.	Aidan Mullins
Mr. Brendan Phelan, M.C.C.	Brendan Phelan
Ms. Mary Sweeney, M.C.C.	Mary Sweeney
Mr. Noel Tuohy, M.C.C.	Noel Tuohy


 John Mulholland
 Chief Executive
 Laois County Council


 Catherine Fitzgerald
 Cathaoirleach
 Laois County Council

APPENDIX A – Carlow Boundary Committee Terms of Reference

1. The Minister for the Environment, Community and Local Government hereby establishes the Carlow Boundary Committee under section 28 of the Local Government Act 1991, hereinafter referred to as “the Committee”.
2. The following persons are hereby appointed as members of the Committee: -
 - David O’ Connor (Chair);
 - John Martin; and
 - Ollie Killeen.
3. The Committee shall be independent in the performance of its functions and shall stand dissolved on submission of its final report to the Minister for the Environment, Community and Local Government.
4. In accordance with sections 32 and 33 of the Local Government Act 1991, the Committee is hereby required to-
 - carry out a review of the boundary between County Carlow and County Laois;
 - make such recommendations with respect to that boundary, and any consequential recommendations with respect to the area of the Municipal District of Carlow, that it considers to be necessary in the interests of effective and convenient local government; and
 - prepare and furnish to the Minister for the Environment, Community and Local Government, a report in writing of that review and its recommendations.
5. In the event of a recommendation that the boundary between County Carlow and County Laois and the area of the Municipal District of Carlow should be altered, the report shall contain relevant supporting information, analysis and rationale relating to or arising from such recommendation, including the following matters: -

- (a) The financial and other relevant implications, including the potential outcomes to be achieved, and likely benefits and costs.
 - (b) Any significant issues that are considered likely to arise in the implementation of revised arrangements and how these should be addressed.
 - (c) Measures that should be taken consequential to or in the context of the recommended arrangements, including any measures in relation to financial arrangements.
 - (d) Any matters in relation to which provision should be made in a primary order or a supplementary order (providing for matters arising from, in consequence of, or related to, the boundary extension) within the meaning of section 34 of the Local Government Act 1991, including any financial adjustments required.
 - (e) Any interim measures which should be taken, if necessary, in advance of, or in preparation for, the full implementation of the recommendations.
 - (f) The appropriate timescale for implementation of recommendations, including any interim measures.
6. In carrying out its review and formulating its recommendations, the Committee shall address the following matters in particular, insofar as relevant to the requirements of articles (4) and (5): -
- (a) The need to take full account of: -
 - (i) current demographic and relevant spatial and socio-economic factors, including settlement and employment patterns;
 - (ii) detailed information to be provided by the relevant local authorities in relation to their structure, services, finances and operations or other matters relevant to the Committee's functions;

(iii) Government policy in relation to local government as set out in the *Action Programme for Effective Local Government, Putting People First*, and in relation to the public service and the public finances.

- (b) The need to maximise efficiency and value for money in local government.
- (c) The need to ensure that the arrangements recommended are financially sustainable and will not result in an ongoing additional cost to central Government through increased subvention.
- (d) Staffing, organisational, representational, financial, service delivery and other relevant implications or requirements.
- (e) The need to ensure effective local government for Carlow and its hinterland, with particular regard to the need to maximise the economic performance and potential of the area; to facilitate the delivery of efficient and good value local authority services; and to ensure effective and accountable democratic representation.
- (f) The need to have regard to the identity and cohesion of local communities.
- (g) Any weaknesses in current local authority arrangements or operations that need to be addressed.
- (h) Any additional matters that the Minister may specify.

7. The Committee shall make such recommendations with respect to the requirements at (4) and (5) and (6) as it considers necessary in the interests of effective and efficient local government. It shall prepare and furnish to the Minister, **no later than 31st March, 2016**, a report, in writing, of its review and recommendations, which the Minister shall publish.

APPENDIX B – Checklist of Documents

Laois County Council Corporate Plan 2014 – 2019
Outdoor Staffing Structure for the Graiguecullen/ Portarlinton Municipal District
Graiguecullen/ Portarlinton Municipal District Schedule of Municipal District Works 2015
List of Public Representatives by Municipal District
Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018. This Plan comprises: Carlow Town Development Plan 2012 – 2018; Graiguecullen Local Area Plan 2012 – 2018 and the Carlow Town Environ Local Area Plan 2012 – 2018
Regional Planning Guidelines for the Midland Region 2010 – 2022
Land Use Zoning Map for the Area
Aerial Photograph of the Area
County Laois Local Development Strategy
Public Participation Groups registered in the Graiguecullen and surrounding areas area
Draft Local Economic Community Plan
Laois County Council Development Contribution Scheme 2013 – 2017
Laois Local Enterprise Development Plan 2015
Demographic and Socio Economic Profile Statistical Base Line for County Laois

APPENDIX C – Financial Impact Data

Financial Impact Data

€27.565m has been invested in the townlands that fall within the Area of Interest (Graigue, Crossneen, Monure, Olderrig, Ballykillen, Derrymoyle and Sleaty) and in the general area around Graiguecullen since 2000. These are summarised in Table 1 as follows:

Table 1

Housing Programme	€
Housing	13,694,237
Road Transportation	10,660,000
Water and Waste water	3,004,347
Development Management	201,000
Total	27,559,584

Housing Capital Programme

€13.694 m has been spent on social, affordable and voluntary housing and on the Mortgage to Rent Scheme in the Area of Interest since 2010. Table 2 below shows same.

Table 2

Housing Programme	€
Housing – Social (30)	4,380,249
Housing – Affordable (35)	5,895,360
Housing – Mortgage to Rent (2)	173,048
Housing – Voluntary (21)	3,245,580
Total	13,694,237

Roads Transportation Capital Programme

The following are details of roads capital expenditure in the Area of Interest and surrounding area since 2000, approximately €10.66m:

€1.933m was spent on the Carlow Northern Relief Road (0222014C) from 2001 to 2003. In addition, the Council is at present carrying out a major development, Extension of the Carlow Northern Relief Road (0222015C) at an estimated cost of €3m, €2.042m of which has been spent at the 31st December 2015. Development contributions are funding this expenditure.

€43k was spent in 2007 on re-surfacing the Carlow Numbers Road (0222068C). In October 2007, €18k was spent on the erection of 9 light columns in Graiguecullen (0225024C). An amount of €1.115m was spent between May 2004 and February 2007 on the resurfacing of the N80 from Stradbally to Carlow (0222044C). €1.731 has been spent on road improvements in Rossmore, Crossneen and Killeslin (0225005C) between 2001 and 2012.

Other works that facilitated residents in the area of interest included:

- ✚ €130k on N80 Ballickmoyler /Coopershill (0222027C) in 2002,
- ✚ €138k on N80 Ballynagall (0222035C) in 2003,
- ✚ €200k on N80 Strengthening Works Windy Gap (0222004C) in 2006/7,
- ✚ €279k on the N80 Stradbally/Park (0222024C) between 2002 and 2008,
- ✚ €28k on traffic route lighting on the N80 Bends at Arles (0222013C) in 2003/2008,
- ✚ €417k on N80 Arles to Ballickmoyler (0222025C) in 2010/11,
- ✚ €856k on the N80 South Coolanowle – Stradbally Road (0222017C) between 2011 and 2014,
- ✚ €414k on the Graigue to Coolhenry Road (0222082C) in 2014,
- ✚ €358k on the Windy Gap Pavement Overlay (0222083C) in 2014.

Water Services Capital Programme

€3.004m was spent on water and waste water infrastructure since 2000 as per Table 3:

Table 3

Water Services Programme	€
Carlow Environs Graiguecullen Sewerage	217,144
Graiguecullen Water Scheme	2,435,491
Sewer Sleaty Road Carlow	185,955
Graiguecullen Serviced Land Initiative	165,757
Total	3,004,347

It should be noted that development contributions funded all of the expenditure on the Carlow Environs Graiguecullen Sewerage Scheme and all of the expenditure on the Graiguecullen Water Scheme with the exception of €316,653 which was funded by a grant from the Department of the Environment. €125,286 of the total expenditure of €185,955 on the Sewer Sleaty Road Carlow was funded by development levies. €99,604 of the Graiguecullen Services Land Initiative expenditure of €165,757 was funded by development contributions. The balances were funded by government grants.

Development Management Capital Programme

€201k has been spent on remedial works in the unfinished estates of Barrowvale/The Vale (0418010C) and Brotherton Housing Estate (0418017C).

Financial Effect on Laois County Council

A boundary revision as proposed would have a damaging effect on the finances of Laois County Council. A boundary change would result in the transfer of significant income on commercial rates, rents, local property tax and development contributions to Carlow County Council. The loss of income would seriously impact on the amount of funding available to Laois County Council to fund services for the people of Laois. It is likely that services would be reduced and possibly removed and the lack of income would also limit the ability of the Council to fund works of an infrastructural nature that are required for the County to prosper.

Housing

The total number of houses available for rent by Laois County Council is 2,046. The Council has 57 rented houses in the Area of Interest. The houses are located in Crossneen, Sleaty, Rochford Manor, Barrowvale, Tommy Murphy Park, Heatherhill Square, Rossmore View and Brotherton. The weekly rental on the 56 properties (1 vacant) currently rented is €2,842.50. This equates to €147,810 annually. The table below shows the location of these properties.

Table 4

Location	Number of Houses
Crossneen	1
Sleaty	1
Rochford Manor	1
Barrowvale	1
Tommy Murphy Park	15
Heatherhill Square	19
Rossmore View	11
Brotherton	8
Total	57

In 2015, €795,857 was spent on the general maintenance of our housing stock, an average of €389 per house or €22,172 for the 57 properties. Local Property Tax for the 57 properties at €90 per property amounts to €5,130. The potential net loss to Laois County Council on rental income would be €120,508 for the 56 properties, with one property still to be let.

Commercial Rates

There are currently 59 properties on the property valuation listing in the Area of Interest with a total rate demand for 2015 of €782,531. This is based on a valuation of 12,107.86 and a rate in the euro of €64.63. In addition there are a further 2 properties to be valued by the Valuation Office. It is expected that these properties will be added to the listing in either 2016 or 2017. The rates loss to Laois County Council will be greater than €782,531 when the valuation of the two properties have been obtained.

The rate in the euro for Laois is €64.63 whilst the corresponding rate in the euro for Carlow is €69.557. The ratepayers in the Area of Interest could see their rates rise considerably in a boundary revision.

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Global Valuations

The Commissioner for Valuation has sole responsibility for all valuation matters, including the global valuation of property of public undertakings under Part 11 of the Valuation Act 2001, as amended. The Valuation Act 2001, as amended, provides for global valuations of utility undertakings to be carried out by the Valuation Office every five years. The most recent global valuations carried out in 2015 were in respect of the utilities shown in Table 5.

Table 5

Utility	Valuation (€)	2016 Rates (€)
ESB	14,374	928,991.62
Gas Networks Ireland	4,988	322,424.32
Iarnrod Eireann	281	18,161.03
RTE Transmission Network Ltd	138	8,918.94
Meteor Mobile Communications Ltd	852	55,064.76
Three Ireland	1,142	73,807.46
BT Communications (Ireland) Ltd	307	19,841.41
Eircom	3,484	225,170.92
Vodafone Ireland	1,687	109,030.81
UPC Communications Ireland Ltd	638	41,233.94
	27,891	1,802,645.21

There is likely to be a loss to Laois County Council of some element of the global valuations if an area in the County is to transfer to Carlow.

Planning and Development

In the Graiguecullen Local Area Plan adopted as part of the overall Joint Strategy Plan for the Greater Carlow Graiguecullen Urban Area 2012 – 2018, the extent of the commercial land-use zoning is 33.61 hectares as shown in Table 6 below:

Table 6

Commercial Land –Use Zoning in Graiguecullen, Laois	Hectares
Enterprise and Employment	24.32
Retail Warehousing	4.94
District Centre	3.62
Neighbourhood Centre	.73
Total	33.61

Assuming a plot ratio of 0.5 this provides for potential future commercial development in the Local plan area of circa 182,784 metres floor area. The value of lost income from development charges for commercial development would be €6.58m approximately (182,784 x €36 per sq metre).

The extent of the residential land-use zoning in the plan area is illustrated in Table 7 below:

Table 7

Residential Zoning	Hectares	Density	Yield
Residential 2	19.33	12 units/hectare **	232 units

** 12 units per hectare is the density standard as stipulated in the Midlands Regional Planning Guidelines 2010 – 2022 and as adopted in the Local Area Plan.

The value of lost income from development charges for residential development would be approximately €928k (232 units x €4,000), bringing the combined loss in development contributions to €7.508m.

Local Property Tax

Local Property Tax Local Property Tax (LPT) was introduced in 2014 to provide a sustainable source of funding for Local Authorities into the future. 2015 was the first year of the new funding structure using LPT. 80% of the LPT collected is retained locally. The balance of 20% is transferred to an equalisation fund which is redistributed to Local Authorities. The distribution of the equalisation fund is linked to the allocation from the Local Government Fund in 2014.

The allocation from the equalisation fund is apportioned such that no local authority would receive a lower allocation from LPT in 2015 than they received from the Local Government Fund in 2014 assuming that no decision was taken by the elected members to change the Base LPT rates up or down.

The number of residential units in the townlands that are located in the Area of Interest is 1,874 (Census 2011). All of the houses in Graigue Rural are included in the Area of Interest but some of the houses in the other townlands are located outside the Area of Interest. For the purpose of this submission I have included all the dwellings in Table 8.

Table 8

Townland	Housing Stock
Graigue Rural	1,292
Crossneen	493
Sleaty	34
Derrymoyle	15
Ballykillen	14
Olderrig	10
Monure	16
Total	1,874

Using the valuation bands for the County (Circular Finance 06/2015 dated the 28/07/2015) the total estimated Local Property Tax (LPT) for the 1,874 dwellings is €363,600 per annum as per Table 9 below.

Table 9

Valuation Band	Properties (%)	Number	LPT	Total (€)
€1 - €100,000	41%	768	€90	69,120
€100,001 - €150,000	42%	787	€225	177,075
€150,001 - €200,000	12%	225	€315	70,875
Over €200,000	5%	94	€495	46,530
Total	100%	1,874	1,874	€363,600

Applying the retention rate of 80% the annual loss of LPT on the current stock would be €298,000 ($€363,600 \times 80\%$). The Area of Interest currently has 19.33 hectares zoned for residential development as per Table 7. Applying the average density rates there is potential for developing an additional 232 housing units. The potential income from Local Property Tax would be approximately €45,013 based on an average per house in Table 9 ($€363,000 / 1,874 \times 232$). This equates to €36,010 using the 80% retention rate.

Summary

The potential income loss per annum from commercial rates is €782,531 and €120,500 from housing rents. The loss from the Local Property Tax will be €363,600 per annum at current rates, with significantly more potential loss if the remainder of the zoned area is developed for housing. Furthermore, there is likely to be a loss to Laois County Council of some element of the global valuations if an area in the County is to transfer to Carlow.

Laois County Council has invested €27.5m in infrastructural provision in the 'Area of Interest' and in the general area around Graiguecullen since 2000. The value of lost income from development contributions for residential and commercial development is estimated at over €7.5 million over a medium term horizon.