

**MINUTES OF MARCH MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN
CHONTAE, PORTLAOISE ON THE 2nd OF APRIL 2007 AT 11.00 A.M.**

PRESENT: Councillor Michael Lalor In the Chair

Councillors William Aird John Bonham
Paddy Bracken Ray Cribbin
James Daly James Deegan
Bill Delaney John Joe Fennelly
Catherine Fitzgerald David Goodwin
Thomas Jacob Jerry Lodge
Seamus McDonald Michael Moloney
Paul Mitchell John Moran
Brendan Phelan Martin Phelan
Michael Rice Brian Stanley
Mary Sweeney John D. Turley
James Daly

APOLOGIES: Dick Miller

IN ATTENDANCE:

Messers Peter Carey, County Manager, Gerry Gibson, Director of Services, Declan Byrne, Director of Services, Gerry Murphy, Head of Finance, John Daly, Director of Services, Ms. Anna Marie Delaney, Director of Services, Ms. Irene Delaney, A/Senior Executive Officer & Ms. Michelle McCormack, Executive Secretary.

24. WELCOME TO STUDENTS

The Cathaoirleach, Councillor Michael Lalor welcomed seven students from the Abbeyleix Further Education Centre to the Council Chamber as part of their project 'The work of Local Authorities'.

25. CONFIRMATION OF MINUTES

On the proposition of Councillor Tom Jacob seconded by Councillor John Joe Fennelly, it was unanimously agreed that the Minutes of the

February meeting held on the 26th of February 2007 as circulated, be adopted and signed.

26. REPORT ON AREA MEETINGS AND STRATEGIC POLICY COMMITTEE MEETINGS

On the proposition of Councillor John Joe Fennelly seconded by Councillor Mary Sweeney, the reports on area meetings and strategic policy committee meetings were noted.

27. PART VIII OF THE LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS, 2001

(a) MOUNTMELICK BRANCH LIBRARY AT THE COURTHOUSE, O' MOORE STREET, MOUNTMELICK

On the proposition of Councillor David Goodwin seconded by Councillor Michael Moloney, the Members unanimously approved the undertaking of the proposed developments at Mountmellick Branch Library at the Courthouse, O' Moore Street, Mountmellick. The development consists of refurbishment, adaptation and extension of part of the existing building to provide a new Library which will include a lobby, foyer, children's library, general adult library, storage areas, sanitary facilities and boiler room at ground floor with exhibition areas, learning area and storage at first floor level and signage on existing structure and proposed library building.

(b) TRAFFIC MANAGEMENT AND TRAFFIC CALMING AT KILLENARD (ROAD No. L3171)

On the proposition of Councillor Paul Mitchell seconded by Councillor James Deegan, the Members unanimously approved traffic

management and traffic calming at Killenard. The proposed alignment was chosen with regard to the existing residential and zoned areas within the constraints study area. This route option

focuses on the provision of an improved road layout providing footpaths and cycle tracks yet has minor deviation from the existing route so as to provide access to all dwellings along the L3171.

(c) PROVISION OF PUBLIC TOILET AT ST. PETER & PAUL'S CEMETERY, PORTLAOISE

On the proposition of Councillor Mary Sweeney seconded by Councillor Tom Jacob, the Members unanimously approved the proposed development comprising of the provision of an on site public toilet to the west of the Stradally Road entrance to St. Peter and Paul's Cemetery, Portlaoise.

The Members welcomed the proposals for the provision of the toilet at the cemetery.

(d) MOUNTMELICK INNER RELIEF ROAD (N80)

On the proposition of Councillor David Goodwin seconded by Councillor Michael Moloney, the Members unanimously approved this proposal comprising of the preferred Route Option C. The preferred route is in principle consistent with the inner relief road line in the draft Mountmellick Local Area Plan. The proposed route is 2.3 km long with proposed roundabout junctions on the N80 south of the town, south of Manor Street, Manor Street, O' Moore Street and Chapel Street on the N80 north of the town. The proposed route crosses the Owenass River at Ch. 1300 on a new bridge. The speed limits on the new road are proposed as 80 kph from south of the town to just south of the new Owenass River bridge and 50 kph elsewhere. The cross section of the new road is proposed as 7m carriageway with 0.5 hard strips on either side with a combined footpath/cycleway of 3.3 m on both sides and 1.65 verges.

28. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001

On the proposition of Councillor Michael Rice seconded by Councillor James Daly, it was unanimously agreed that the land at 2 Rathduff, Hollymount Carlow in the townland of Rathduff be disposed for a consideration of €127.

29. HOMELESSNESS STRATEGY FOR COUNTY LAOIS 2007 – 2009

Members were circulated with a copy of the Homelessness Strategy for County Laois 2007 – 2009. Mr. Brian Stanley, Chairperson of the Housing, Social & Cultural Strategic Policy Committee briefed the Members on the contents of the document. On the proposition of Councillor Brian Stanley seconded by Councillor William Aird, the Members unanimously agreed to the adoption of the Homelessness Strategy for County Laois 2007 – 2009. Members welcomed the approval of this strategy for Laois

30. ANNUAL ROADWORKS PROGRAMME 2007

Members were presented with the Annual Roadworks for 2007. On the proposition of Councillor James Deegan seconded by Councillor John Bonham, the Members unanimously agreed that the Annual Roadworks Programme for 2007 be adopted.

A discussion ensued regarding the cost of complying the requirement of Health & Safety legislation.

Mr. Peter Carey, County Manager indicated that the health and safety regulations would have to be adhered to.

Councillor James Deegan proposed that the Minister for Trade, Enterprise & Employment be requested to make up the shortfall of the

20% for health and safety costs. This proposal was seconded by Councillor John Moran.

31. RATIFICATION OF CONFERENCES

On the proposition of Councillor Tom Jacob seconded by Councillor Paul Mitchell, attendance at conferences as circulated to the Members were ratified.

32. EXTINGUISHMENT OF PUBLIC RIGHT OF WAY AT MONEYCROSS ROADS

Due to the re-alignment of Money Crossroads it is necessary to extinguish the public right of way from Money Crossroads Junction to a point 100m south of the said crossroads junction along the R426-76 (Timahoe leg of the junction)

On the proposition of Councillor James Daly seconded by Councillor James Deegan, the Members unanimously agreed that the public right of way at Moneycross be extinguished.

33. NOMINATION OF MEMBER TO PORTARLINGTON LEISURE MANAGEMENT COMPANY

Members were informed that Councillor John Turley had formally resigned from the Board of Portarlington Leisure Centre Ltd.

Councillor John Turley proposed that Councillor Paul Mitchell be nominated to the Board of Portarlington Leisure Management Company. This proposal was seconded by Councillor John Bonham. Councillor Mitchell thanked his proposer and seconder for his nomination.

34. CORRESPONDENCE

The following items of correspondence was read out to the Members by Ms. Irene Delaney, A/Senior Executive Officer

(a) Correspondence from Office of the Minister dated the 27th of March 2007

This correspondence related to Notice of Motion No. 51/2006 passed at the October meeting of Laois County Council in relation to the electoral boundaries of Carlow and Laois.

(b) Correspondence from the Office of the Minister dated the 14th of March 2007

This correspondence related to Notice of Motion No. 67/2006 passed at the December meeting of Laois County Council in relation to the registration of quarries. The Members requested that they receive a copy of this reply.

(c) Correspondence from the Water Services Section in the Department of the Environment, Heritage & Local Government

This correspondence related to an issue which was raised at the February 2007 meeting of Laois County Council in relation to grant aid for Group Sewerage Schemes

(d) Correspondence from the Financial Regulator dated the 23rd March 2007

This correspondence related to Notice of Motion No. 04/2007 passed at the February 2007 meeting of Laois County Council in relation to levels of credit being afforded by credit card companies.

34. NOTICE OF MOTIONS

Notice of Motion No: 10/07

Councillor Brian Stanley proposed the following Notice of Motion:-

“That Laois County Council brings to the attention of the Department of Communications the difficulties in getting broadband coverage in the County and that we are informed of proposals to get full coverage”

This Notice of Motion was seconded by Councillor Tom Jacob. It was agreed that a letter would issue to the Department in this regard.

Notice of Motion No: 11/07

Councillor Jerry Lodge proposed the following Notice of Motion:-

“That this Council clearly defines the types of development that may be incorporated into a commercial matrix”

This motion was seconded by Councillor Brendan Phelan. The Members were informed that within the zoning matrix, in the County Development Plan 2006 – 2012 there is no specific commercial matrix. However, commercial type uses are considered under both industrial and general business zonings. The types of use permitted, in principle, within these zonings are offices, retail, car sales, petrol stations, general industry, light industry, etc. Uses such as offices, retail may also be considered in residential zoning subject to the provisions of the County Development Plan and Local Area Plans where relevant and proper planning and sustainable development.

Members requested a copy of this Notice of Motion.

Notice of Motion No: 12/07

Councillor Jerry Lodge & James Daly proposed the following Notice of Motion:-

“That this Council agrees to review the method of allocation of discretionary monies for the annual roadworks programme”

This motion was seconded by Councillor Michael Moloney. The Members were informed that the issue can be discussed with the respective Councillors and if improvements can be made in the review process we can do so for the 2008 allocations.

Notice of Motion No: 13/07

Councillor William Aird proposed the following Notice of Motion:-

“That Laois County Council call on the Minister to re-consider his decision on reducing the numbers involved in the Back to Work Schemes under FAS especially those people that are over 55”

This motion was seconded by Councillor Brian Stanley. It was agreed that a letter issue to Minister Martin in this regard.

Notice of Motion No : 14/07

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council does not sign any contract for M7-8 motorway until graded junctions at Cuffsborough, Aghaboe & Cullohill be re-instated as promised when this motorway was first produced to Laois County Council”

This motion was seconded by Councillor John Bonham. The Members were informed that Laois County Council does not issue any contract for the construction of the M7/M8 Motorway. The contract is a matter exclusively between the P.P.P. Unit of the N.R.A. and the Contractor.

Councillor Brendan Phelan suggested that a small number of Members meet the Minister regarding the aforementioned graded junctions. This was seconded by Councillor Bill Delaney.

Notice of Motion No: 15/07

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council does not allow any development to take place on M7-8 motorway until a proper transport road plan is agreed with the developer”

This motion was seconded by Councillor John Bonham. The construction of the M7/M8 is a matter for the contractual arrangements between the N.R.A. and the Contractor. Details of road plan designs have routes etc., that were approved by An Bord Pleanala in the Environmental Impact Study and formed part of the NRA Contract – details were forwarded to the Members in a recent covering letter.

Notice of Motion No: 16/07

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council give a full and up to date report of all sewerage works and planned sewerage works in this County”

This motion was seconded by Councillor John Bonham. The Members were circulated with a written reply to this Notice of Motion which read the following:-

Portlaoise Main Drainage Scheme Sewerage Improvement Works (Network) Contract

Murphy International have now constructed 12.5km of new sewers since starting on site in May 2006. They are currently 5 months ahead of their original programme for substantial completion, which is now scheduled for November 2007. It is envisaged that connections to the newly constructed sewers may be permitted at that stage. On substantial completion, Murphy International will have a further 12 months ‘snagging’ period, during which they will be rectifying any outstanding work. A list of proposed road closures in 2007 is now posted on the Council website.

Portlaoise Main Drainage Scheme Wastewater Treatment Plant (DBO) Contract

The contract for the Design Build and Operation of the new Portlaoise WWTP was awarded to the EarthTech-Bowen Construction Consortium on 15th December 2006. The Contractor started on site on 8th January 2007 and took over the full operation of the existing WWTP on 22nd January 2007. The Design Build stage is scheduled to be completed within 2 years (January 2009). A new access road into the WWTP is currently

under construction and this will be followed by the bulk excavation for the new process tank structures. These construction works should have minimal impact on the public as they are on a self-contained site. The new Plant will have a 39,000 PE capacity.

Laois Towns Sewerage Scheme – Abbeyleix, Mountrath, Durrow, Rathdowney, Stradbally, Clonaslee

Sewerage Improvement Works (Network) Contract

This scheme is being procured by traditional contract. The Design Review Report for the Scheme was received in February 2007 from the Consultants outlining proposals for the new sewer networks in each of the 6 Towns. Comments will be issued to the Consultants in the next fortnight, who will then proceed to prepare tender documents. Construction is expected to start on site in the third quarter of 2008.

Laois Towns Sewerage Scheme – Borris-in-Ossory, Castletown, Newtown Doonane, Ballinakill, Swan and Timahoe

Sewerage Improvement Works (DBO) Contract

This scheme is being procured by DBO contract. Contract documents have now been finalised. Part 8 Planning has been completed for Mountrath, Abbeyleix, Durrow and Rathdowney. Part 8's for Stradbally and Clonaslee are to follow the completion of agreements on land acquisition for the new treatment plant sites. On completion of all Part 8's, a submission will be made to the Department for approval to proceed to tender stage. Construction start on site is currently scheduled for the third quarter of 2008.

Laois Villages Sewerage Scheme -

Sewerage Improvement Works (Network/DBO) Contracts

A Preliminary Report has been received from the Consultants and is currently being reviewed. Following this review, a submission will be made to the Department to proceed with the preparation of tender documents. It is currently envisaged that, subject to Department approval, the six villages may be incorporated into both of the six towns contracts in order to achieve economies of scale.

Mountmellick Sewerage Scheme

Department approval of Eur2.6M was received in November 2006 to proceed with the preparation of tender documents (upgrades to Pumping Stations and Treatment Plant and sewer rehabilitation works). The Council's consultants are now proceeding to prepare contract documents for this scheme and construction is expected to start on site in the first quarter of 2008.

Portarlinton Sewerage Scheme

Approval was received from the Department, in December 2006, to incorporate Emo, Ballybrittas and Killenard in the Portarlinton Sewerage Scheme. A brief has been prepared for the appointment of Consultants to produce a Preliminary Report and it is

expected that Advertisements for this appointment will be placed in the next month, subject to Department approval/comments on the brief. It is proposed that the Scheme will involve upgrading of the Wastewater Treatment Plant to cater for developments up to 2030 and an upgrade of the network to cater for developments up to 2055. Collection and transfer systems for Emo, Ballybrittas and Killenard would also be required.

In the Assessment of Needs 2007-2014 programme submitted to the DoEHLG in July 2006 the following projects were included,

Mountmellick Sewerage Scheme Phase 2. Increasing the capacity of the Waste Water Treatment Plant

Grouped Sewerage Scheme, Phase 1. Provide collection system and Waste Water Treatment Plant in Timahoe, Camross, Attanagh, Clough, Ballacolla, Rosenallis, Killeshin, Ballyfin, Shanahoe, Vicarstown, Cullahill, Errill. Timahoe was subsequently included in the six villages above.

Grouped Sewerage Scheme, Phase 2. Provide collection system and Waste Water Treatment Plants in The Rock, Donaghmore, Coolrain, Raheen, Kilbricken, Crossneen, Ballyadams, Ratheniska, Rath/Fishertown, Arles, Ballybrophy.

35. PRESENTATION ON LAOIS TRIP TO MEMPHIS/FRANKLIN, TENNESSEE

The County Manager made a presentation on the recent trip to Memphis/Franklin, Tennessee. He briefed the Members on potential linkages and possible twinning between County Laois and Franklin.

36. PRESENTATION TO MR. MARK MORAN,

A presentation of a certificate of special associate membership was made to Mr. Mark Moran who participated in the trip to Memphis/Franklin, Tennessee.

Signed: _____
Cathaoirleach

Certified: _____

Date: _____

