

**MINUTES OF THE APRIL MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS
AN CHONTAE, PORTLAOISE ON 26TH OF APRIL 2010**

PRESENT:	Councillors	James Daly	In the Chair
		Rotimi Adebari	William Aird
		Pat Bowe	Ben Brennan
		Ray Cribbin	James Deegan
		John Joe Fennelly	Catherine Fitzgerald
		Padraig Fleming	David Goodwin
		John King	Michael Lalor
		Jerry Lodge	Seamus McDonald
		Paul Mitchell	John Moran
		Tom Mulhall	Kathleen O' Brien
		Brendan Phelan	Martin Phelan
		Brian Stanley	Mary Sweeney

Apologies:	Councillors	John Bonham	Paddy Bracken
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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. Michelle McCormack, Executive Secretary.

**38. CONFIRMATION OF THE MINUTES OF THE MARCH MEETING HELD ON
THE 29TH OF MARCH 2010**

On the proposition of Councillor Ray Cribbin seconded by Councillor Michael Lalor, the minutes of the March meeting held on the 29th of March 2010 were confirmed as circulated.

The Members expressed concern in relation to the adoption of the River Basin Management Plans. Councillor Tom Mulhall indicated that there has been some serious reservations since their adoption at recent public meetings and in particular in relation to the nitrates directive. On the proposition of Councillor John Joe Fennelly, seconded by Councillor Ray Cribbin, the Members requested that a letter issue to the Department requesting them to remove the following sentence from Section 5.2.3. of the plan which states "Despite the improvements in agriculture pollution control in recent years, surveys carried out by local authorities indicate that on average 31% of farms nationally may be non-compliant with the Nitrates Regulations"

39. VOTE OF SYMPATHY

On the proposal of Councillor Michael Lalor, the Members unanimously agreed that a vote of sympathy be passed to the Keenan family on the recent death of Mrs. Keenan.

On the proposal of Councillor William Aird, the Members unanimously agreed that a vote of sympathy be passed to the Lambe family, The Heath on the recent death of Mrs. Kathleen Lambe.

On the proposal of Councillor Kathleen O' Brien, the Members unanimously agreed that a vote of sympathy be passed to the Polish Community on the death of their President and his wife.

On the proposal of Councillor James Deegan, the Members unanimously agreed that a vote of sympathy be passed to the Dowling family on the death of Mrs. Dowling, Morette, Emo.

On the proposal of Councillor Pdraig Fleming, the Members unanimously agreed that a vote of sympathy be passed to Councillor Ben Brennan on the recent death of his mother-in-law, Mrs. Menton.

On the proposal of Councillor Brian Stanley, the Members unanimously agreed that a vote of sympathy be passed to the Doyle family on the recent death of Mr. Michael Doyle, a former employee of Laois County Council.

40. SECTION 85 AGREEMENT BETWEEN KILDARE COUNTY COUNCIL AND LAOIS COUNTY COUNCIL FOR THE 'REPLACEMENT OF EXPANSION JOINTS ON VARIOUS LEINSTER BRIDGES'

The Members were circulated with a copy of the above agreement and on the proposition of Councillor James Deegan seconded by Councillor William Aird, the Members unanimously adopted to the Section 85 Agreement between Kildare County Council and Laois County Council for the 'Replacement of Expansion Joints on Various Leinster Bridges'

41. SECTION 85 AGREEMENT BETWEEN OFFALY COUNTY COUNCIL AND LAOIS COUNTY COUNCIL FOR THE 'REHABILITATION OF BRIDGES IN COUNTY LAOIS'

The Members were circulated with a copy of the above agreement and on the proposition of Councillor James Deegan seconded by Councillor William Aird, the Members unanimously adopted the Section 85 Agreement between Offaly County Council and Laois County Council for the 'Rehabilitation of Bridges in County Laois'.

42. ADOPTION OF THE AMENDED PORTLAOISE LOCAL AREA PLAN 2006 – 2012

On the proposition of Councillor William Aird seconded by Councillor Rotimi Adebari, the Members unanimously adopted the amended Portlaoise Local Area Plan 2006 – 2012 as circulated.

43. ANNUAL FINANCIAL STATEMENT 2009 – APPROVAL OF OVER-EXPENDITURE AND TRANSFER TO CAPITAL

Mr. Gerry Murphy, Head of Finance circulated the Annual Financial Statement for 2009 to the Members and briefed the Members on the Revenue Budget . The Members complimented the Finance Section on the report. The County Manager, Mr. Peter Carey also paid tribute to the Head of Finance and his staff on the budget following a very volatile year with reductions in the Local Government Fund and reduction in grants and also in income sources. The Annual Financial Statement for 2009 – Approval of Over Expenditure and Transfer to capital was approved on the proposition of Councillor John Moran seconded by Councillor Paul Mitchell.

It was agreed that a deputation be made to the Minister for the Environment, Heritage & Local Government in relation to the provision of funding for the Portlaoise Northern Orbital Route.

44. LITTER MANAGEMENT PLAN – ANNUAL PROGRESS REPORT

The Members were circulated with a copy of the progress report on the implementation of the Litter Management Plan 2008 – 2011 which was prepared by Ms. Colette O' Rourke, Senior Staff Officer, Environment Section. The Members complimented the Environment Section on the plan and in particular the successful Clean-Up Laois Week which was recently held. Mr. John Daly, Director of Services responded to the various queries and concerns.

On the proposition of Councillor John Joe Fennelly seconded by Councillor Jerry Lodge, the Members unanimously agreed to adopt the Name & Shame Policy which will be introduced this year and will assist in reducing the incidences of litter and illegal dumping. This will involve naming those litter offenders convicted in court.

Mr. Peter Carey, County Manager paid tribute to Mr. John Daly, Director of Services, the staff of the Environment Section and in particular the Litter Wardens for all their work in this area.

45. PROPOSED REVOCATION OF WATER POLLUTION (REGULATION OF LAND APPLICATION OF INDUSTRIAL ORGANIC WASTE) BYE-LAWS 2004

The Members were circulated with a copy of the above bye-laws which were adopted at the March 2004 meeting of Laois County Council. The purpose of the bye-laws was to control the spreading of sewage sludges and industrial organic waste in County Laois. They also prohibited the spreading of sludges or wastes produced outside the County in Laois. A number of issues have come to the Council's attention in relation to the bye-laws. In view of the conflict between the Council's bye-laws and existing Government legislation, it is recommended that the Water Pollution (Regulation of Land Application of Industrial Organic Waste) Bye-Laws, 2004 be revoked.

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Moran, the Members unanimously agreed to revoke the bye-laws as recommended.

46. DRAFT LAOIS COUNTY COUNCIL ANNUAL REPORT 2009

The Members were advised that in accordance with Section 221 of the Local Government Act, 2001, the draft Annual Report must be submitted to them by the 30th of April 2010.

On the proposal of Councillor James Deegan seconded by Councillor Jerry Lodge members unanimously adopted the draft Laois County Council Annual Report for 2009.

47. ADOPTION OF LAOIS COUNTY COUNCIL AUDIT COMMITTEE ANNUAL REPORT 2009

The Members were circulated with the Annual Report for the Audit Committee for 2009.

Councillor Jerry Lodge, being a Member of the Laois County Council Audit Committee indicated that this is an advisory committee to the Management and Members of Laois County Council. The Committee consists of five members, two of whom are elected members and three who are external members. Mr. Peter Carey, County Manager indicated that this is a new system of performance measurement and accountability. On the proposition of Councillor Mary Sweeney, seconded by Councillor John Joe Fennelly, the Members unanimously adopted the Laois County Council Audit Committee Annual Report for 2009.

48. ADOPTION OF LOCAL IMPROVEMENT SCHEME 2010

The Members were circulated with a copy of the Local Improvement Schemes for 2010, total allocation being in the sum of €118,000.00.

On the proposition of Councillor David Goodwin seconded by Seamus McDonald, the Members unanimously adopted the Local Improvement Scheme for 2010, as circulated.

49. CORRESPONDENCE

The following items of correspondence were circulated to the Members, for their attention:

- (1) Details on the final allocations for the Social Housing Investment Programme for 2010
- (2) Details on the Water Services Investment Programme 2010 – 2012

50. NOTICE OF MOTION

Notice of Motion No: 07/10

Councillor Brian Stanley proposed the following Notice of Motion:

“That the Members of this Council be informed of what measures are being taken to improve how repairs are carried out on Laois County Council’s housing stock”

This Motion was seconded by Councillor Seamus McDonald. Ms. Anna Marie Delaney, Director of Services advised the Members that this matter is currently being considered by the Housing, Social & Cultural Policy Strategic Policy Committee.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF CORPORATE AFFAIRS

