

**MINUTES OF THE APRIL MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS
AN CHONTAE ON THE 30TH OF APRIL 2012**

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

IN ATTENDANCE:

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

30. VOTE OF SYMPATHY

On the proposition of Councillor John Joe Fennelly and unanimously agreed a vote of sympathy was extended to the Bracken family on the death of Mr. Patrick Bracken, Roscore, Blueball, Tullamore, Co. Offaly who was also a first cousin of Councillor Patrick Bracken.

On the proposition of Councillor Ray Cribbin & Councillor Tom Mulhall and unanimously agreed a vote of sympathy was extended to the Phelan family on the death of Mr. Michael Phelan of Birmingham, UK and Clonterry, Mountmellick, Co. Laois who was a brother of Mr. Jim Phelan, Road Overseer.

On the proposition of Councillor John Bonhan and unanimously agreed a vote of sympathy was extended to the Moore family on the death of Mr. Anthony Moore, Parkbawn, Kyle, Durrow, Co. Laois.

On the proposition of Councillor Michael Lalor and unanimously agreed a vote of sympathy was extended to the Sinnott family on the death of Mr. Patrick Sinnott, New Line Close, Mountrath, Co. Laois.

On the proposition of Councillor James Deegan & Councillor Tom Mulhall and unanimously agreed a vote of sympathy was extended to the O' Brien family on the death of Mr. Tom O' Brien, Knocknabraher, Stradbally, Co. Laois.

On the proposition of Councillor Ben Brennan and unanimously agreed a vote of sympathy was extended to the Neale family on the death of Ms. Kate Neale, Rath, Kilgorey, Creggyard, Carlow

On the proposition of Councillor Ben Brennan and unanimously agreed a vote of sympathy was extended to the Purcell family, Doonane Road, Crettyard, Carlow on the death of Mr. John Clinton.

On the proposition of Councillor Mary Sweeney & Councillor James Daly and unanimously agreed a vote of sympathy was extended to the Downey family on the death of Ms. Veronica Downey, Timahoe Road, Portlaoise, mother of Ms. Rebecca Gillespie, Administrative Officer with Laois County Council.

On the proposition of Councillor William Aird and unanimously agreed a vote of sympathy was extended to the Donoghue family on the death of Mr. Michael Donoghue, Beladd, Portlaoise, Co. Laois.

On the proposition of Councillor William Aird and unanimously agreed a vote of sympathy was extended to the Hickey family on the death of Ms. Maureen Hickey, Newpark, Portlaoise, Co. Laois.

On the proposition of Councillor William Aird and unanimously agreed a vote of sympathy was extended to the Scully family on the death of Ms. Anne Scully, 1 Mill View, Portlaoise, Co. Laois.

On the proposition of Councillor William Aird and unanimously agreed a vote of sympathy was extended to the Clarken family on the death of Mr. Chris Clarken, 'Aisling', Mosse Lane, Portlaoise, Co. Laois.

On the proposition of Councillor Tom Mulhall and unanimously agreed a vote of sympathy was extended to the O' Connell family on the death of Mr. Anthony O' Connell, Coolroe, Ballybrittas, Co. Laois.

On the proposition of Councillor James Daly & Councillor Pdraig Fleming and unanimously agreed a vote of sympathy was extended to the Doran family on the death of Ms. Christina Doran, Clenagh, Spink, Abbeyleix, Co. Laois

On the proposition of Councillor James Daly & Councillor Pdraig Fleming and unanimously agreed a vote of sympathy was extended to the Ramsbottom family on the death of Ms. Mary Ramsbottom, Garryglass, Timahoe, Co, Laois

On the proposition of Councillor James Daly & Councillor Pdraig Fleming and unanimously agreed a vote of sympathy was extended to the McEvoy family on the death of Ms. Brigid McEvoy, Coolnabacca, Timahoe, Co. Laois.

On the proposition of Councillor Seamus McDonald & Councillor Patrick Bracken and unanimously agreed a vote of sympathy was extended to the Gorman family on the death of Mr. Seamus Gorman, Graigue, Mountmellick, Co. Laois.

31. CONFIRMATION OF THE MINUTES OF THE MARCH MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 26TH MARCH 2012

On the proposition of Councillor James Deegan seconded by Councillor James Daly, the Minutes of the March meeting of Laois County Council held on the 26th of March 2012 were agreed as circulated.

32. REPORTS ON AREA & SPC MEETINGS HELD IN MARCH 2012

The Members were circulated with a copy of the reports on Area & SPC Meetings held in March 2012 which were noted. Councillor Pdraig Fleming requested that the Luggacurren Area Minutes be amended in relation to his position regarding the closure of the Graiguecullen Office.

33. PART VIII OF THE LOCAL GOVERNMENT PLANNING & DEVELOPMENT REGULATIONS, 2001 IN RESPECT OF PROPOSED DEMOLITION OF AN EXISTING HOUSE AND CONSTRUCTION OF 1 NO. 1 BED SINGLE STOREY HOUSE AND 1 NO. TWO BED SINGLE STOREY HOUSE WITH ASSOCIATED SITE WORKS AT WELL ROAD, KYLEKIPROE, PORTLAOISE, CO. LAOIS

The Members were circulated with a copy of the planning report on the above proposed development. The Members were advised that Laois County Council seeks consent for the development of a minor housing scheme on a 0.085 acres site at Well Road, Kylekiproe, Portlaoise, Co. Laois.

The proposed scheme provides for

- Demolition of 1 no. in-situ single-storey dwelling
- Construction of a 2 no. single-storey dwellings on the overall site, one located on the site of the existing dwelling and the other located in the rear curtilage but with it's own independent access
- Provision of boundary screening
- Various ancillary works including site preparation and access are also proposed as part of the scheme.

On the proposition of Councillor William Aird seconded by Councillor Mary Sweeney, the members unanimously agreed to the proposed development under Part VIII of the Planning & Development Regulations 2001

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

DISPOSAL OF 1.0310 HECTARES OF LAND AT OLD KNOCKMAY ROAD, PORTLAOISE

On the proposition of Councillor Mary Sweeney seconded by Councillor John King, the members agreed to the disposal of 1.0310 hectares of land at Old Knockmay Road, Portlaoise in the townland of Knockmay for a consideration of €1.00

Councillor Catherine Fitzgerald expressed her opposition to this item.

DISPOSAL OF 0.7405 HECTARES OF LAND AT DOONANE

On the proposition of Councillor James Daly seconded by Councillor Ben Brennan, the Members unanimously agreed to the disposal of 0.7405 hectares of land at Doonane in the townland of Doonane for a consideration of €1.00

DISPOSAL OF 2.132 HECTARES OF LAND AT GOLFLINKS ROAD, RATHDOWNEY

On the proposition of Councillor John King seconded by Councillor Paul Mitchell the members unanimously agreed to the disposal of 2.132 hectares of land at Golflinks Road, Rathdowney in the townland of Rathdowney for a consideration of €1.00

Councillor Brendan Phelan expressed his opposition to this item.

DISPOSAL OF 1.0281 HECTARES OF LAND AT DERRY ROAD, DURROW

On the proposition of Councillor James Deegan seconded by Councillor John King, the members unanimously agreed to the disposal of 1.0281 hectares of land at Derry Road, Durrow in the townland of Durrow Townsparks for a consideration of €1.00

DISPOSAL OF EQUITY PART OF SHARED OWNERSHIP LOAN INTEREST AT 24 O' DALY TERRACE, RATHDOWNEY

On the proposition of Councillor John King seconded by Councillor James Daly, the members unanimously agreed to the disposal of equity part of shared ownership loan interest at 24 O' Daly Terrace, Rathdowney for a consideration of €40,000

35. TAKING IN CHARGE OF 'BROCKVIEW', MOUNTMELICK, CO. LAOIS

On the proposition of Councillor David Goodwin seconded by Councillor Patrick Bracken, the members unanimously agreed to the taking in charge of Brockview, Mountmellick, Co. Laois.

36. DRAFT LAOIS COUNTY COUNCIL ANNUAL REPORT 2011

Members were circulated with a copy of the draft Laois County Council Annual Report 2011. Ms. Anna Marie Delaney, Director of Service indicated to the Members that the Local Government Act, 2011 requires that a draft report be presented to the Members by the 30th of April. On the proposition of Councillor William Aird seconded by Councillor James Daly, the Members unanimously agreed to adopt the draft Laois County Council Annual Report for 2011.

37. DRAFT AUDIT COMMITTEE ANNUAL REPORT 2011

The Annual Report for 2011 of the Audit Committee as circulated to the Members was noted and Ms. Anna Marie Delaney, Director of Services outlined the progress made by the Audit Committee in 2011.

38. PRESENTATION BY MS. CAROL MCCANN, CHAIRPERSON, PORTARLINGTON COMMUNITY DEVELOPMENT ASSOCIATION ON 'PORT 2020 VISION PROJECT'

Ms. Carol McCann, Chairperson of the Portarlington Community Development Association gave a presentation on 'Port 2020 Vision Project'. The Members complimented Ms. McCann on her excellent presentation and Ms. McCann responded to the various queries raised by the Members. The County Manager, Mr. Peter Carey also thanked Ms. McCann for an excellent presentation. The County Manager complimented the community of Portarlington for their positive response.

39. RURAL WATER PROGRAMME 2012

The Members were circulated with a copy of the Rural Water Allocations received for 2012. The Members were also circulated with letter dated the 23rd of April 2012 from Laois County Council to the Department of Environment, Community & Local Government seeking additional funding under the Rural Water Programme 2012. Mr. Michael O' Hora, Senior Engineer responded to the various queries raised by the Members. With regard to the forthcoming deputation to the Minister. Councillor James Daly & Councillor Ben Brennan expressed an interest in being included on same.

40. LAOIS GROUPED TOWNS SEWERAGE SCHEME

Mr. John Daly, Director of Services briefed the Members on the two contracts under the Laois Grouped Towns Sewerage Scheme:-

Networks Contract – This involves the construction of new sewers in each of the 6 Towns of Abbeyleix, Durrow, Mountrath, Stradbally, Rathdowney & Clonaslee.

Approval was received from the Department in October 2011 to proceed to the tender stage . It is expected to issue tender documents in May for this scheme. The earliest start on site date is anticipated in Quarter 1 of 2013.

Wastewater Treatment (DBO) Contract – This involves the construction of new wastewater treatment plants in each of the 5 Towns of Abbeyleix, Durrow, Mountrath, Stradbally & Rathdowney. Approval was received from the Department in August 2011 to proceed to tender stage. It is expected to issue tender documents in May for this scheme. The earliest start on site date is anticipated in Quarter 1 of 2013.

Mr. John Daly, Director of Services responded to the various queries raised.

Mr. Michael O’ Hora, Senior Engineer confirmed that the scheme is Design, Build, Operate. There is a prioritization on delivery of some of the plants which are under considerable pressure.

41. UPDATE ON KYLETALESHA LANDFILL

Mr. John Daly, Director of Services provided the Members with an update report on Kyletalesha Landfill and outlined the current position with regard to the operation of the landfill at Kyletelasha and current difficulties in relation to same. The Members were advised that in the context of the current market situation and Government policy it has been decided to suspend construction of the new cell. The situation will be kept under review. It was noted that the recycling centre will remain operational and facilities for accepting household waste will continue to be provided.

The Members welcomed the report and expressed concern in relation to health and safety of residents, the future of staff at the landfill and the alternatives for the treatment of waste.

The County Manager, Mr. Peter Carey indicated that there is a legal requirement on the Council to provide for rehabilitation costs. In summary, the facility has been in operation since 1959, however, standards have changed over the years. Mr. Carey complimented the staff that have worked at the landfill over the years and paid tribute to the Monitoring Committee which operates in partnership with the local residents. The facility operates under an EPA licence which contains very strict guidelines including conditions for rehabilitation. The abstraction of the gas is being examined on a regional basis as a shared service. The Members will continue to be fully briefed on the situation in relation to Kyletelasha Landfill.

42. HOUSEHOLD CHARGE

Mr. Gerry Murphy, Head of Finance advised Members that an update would be provided on the Household Charge at the May Meeting of Laois County Council.

43. CORRESPONDENCE

The Members were circulated with the following items of correspondence:-

- (i) Correspondence from the Department of the Environment, Community & Local Government dated the 26th of March 2012 in relation to the Household Charge
- (ii) Correspondence from the Health Services Executive dated the 12th of April 2012 in relation to the provision of community shelter accommodation for rural areas
- (iii) Correspondence from the Minister for Health dated the 2nd of April 2012 in relation to Shaen Hospital
- (iv) Correspondence from the Department of the Environment, Community & Local Government dated the 12th of April 2012 in relation to motor tax
- (v) Correspondence from the Office of Assistant National Director of HR in the Health Services Executive dated the 17th of April 2012 in relation to staffing levels at the Regional Hospital, Portlaoise
- (vi) Correspondence from the Football Association of Ireland dated the 11th of April 2012 in relation to a civic reception
- (vii) Correspondence from the Department of Public Expenditure & Reform dated the 18th of April 2012 in relation to the moratorium on recruitment in the public sector and health services
- (viii) Correspondence from the Department of the Environment, Community & Local Government dated the 26th of April 2012 in relation to motor tax rates.
- (ix) Ms. Anna Marie Delaney, Director of Services indicated that the City of Dublin VEC will be launching a campaign shortly in relation to the Student Education Grants. Councillor Fitzgerald & Daly expressed concern in relation to this matter.
- (x) Ms. Anna Marie Delaney, Director of Services indicated that the polling day is the 31st of May 2012 and that the closing date for receipt of applications for postal votes is Wednesday, May 22nd 2012 and Monday, 14th of May 2012 is the closing date for receipt of applications for inclusion on the supplement. Councillor James Daly enquired as to the up to date position regarding the boundary issue at Graiguecullen.
- (xi) Councillor William Aird queried the closure of the area office in particular at Portlaoise. Ms. Anna Marie Delaney, Director of Services indicated that the administrative staff are moving into County Hall as on from the 1st of May 2012. It was agreed that the Elected Members would be kept apprised of the situation.

43. NOTICE OF MOTIONS

Notice of Motion No: 17/2012

Councillor John Joe Fennelly proposed the following Notice of Motion:-

“That Laois County Council contact the Minister for Justice to ensure that there is no downgrading of Garda Stations in County Laois and to ensure that there will be two Garda Superintendents operating in the County as always has been the case

This motion was seconded by Councillor William Aird. It was agreed that a letter would issue to the Minister in this regard. Councillor Fennelly indicated that there is a dramatic increase in crime in rural areas and Abbeyleix Station covers a wide area.

Notice of Motion No: 18/2012

Councillor Jerry Lodge proposed the following Notice of Motion:-

“That this Council calls on the Minister for the Environment to review as a matter of urgency, the income limits in respect of applicants for social housing”

This motion was seconded by Councillor Alan Hand. It was agreed that a letter issue to the Minister for the Environment in this regard.

Notice of Motion No: 19/2012

Councillor Rotimi Adebari proposed the following Notice of Motion:-

“That Laois County Council calls on the Government to give self employed people the option to choose either Class A PRSI or Class S PRSI”

This motion was seconded by Councillor Alan Hand. Councillor Adebari requested the support of all Local Authorities, the Association of City & County Councils & the Local Authority Members Association.

Notice of Motion No: 20/02

Councillor Alan Hand proposed the following Notice of Motion:-

“That this Council calls on the Government to leave the provision of water services with local Councils”

This motion was seconded by Councillor Rotimi Adebari. Councillor John Bonham indicated that he has arranged for a deputation to the Minister in this regard. Minister Hogan was due to address the Members at the recent L.A.M.A. Conference in Dungarvan.

Notice of Motion No: 21/2012

Councillor William Aird proposed the following Notice of Motion:-

“That Laois County Council request Bord Failte to ensure that the employees of the Bord Failte office in Portlaoise remain in this location”

This motion was seconded by Councillor Kathleen O’ Brien.

The County Manager, Mr. Peter Carey advised that it is Laois County Council’s preference that this employee remain in the Portlaoise office. It was agreed that a letter would issue to Bord Failte in this regard.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF CORPORATE
AFFAIRS