

**MINUTES OF THE APRIL MEETING OF LAOIS COUNTY COUNCIL HELD
IN ÁRAS AN CHONTAE ON THE 29th OF APRIL 2013**

PRESENT:	Councillors	Paul Mitchell	In the Chair
		Rotimi Adebari	William Aird
		John Bonham	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	John Moran
		Tom Mulhall	Kathleen O' Brien
		Brendan Phelan	Martin Phelan
		Mary Sweeney	Lisa Delaney

IN ATTENDANCE:

Messers Peter Carey, County Manager, Kieran Kehoe, Director of Services, Gerry Murphy, Head of Finance, Ms. Anna Marie Delaney, Director of Services, Ms. Josephine Kavanagh, Administrative Officer & Ms. Michelle McCormack, Executive Secretary.

33. CONFIRMATION OF THE MINUTES OF THE MARCH MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 25TH OF MARCH 2013

On the proposition of Councillor Ray Cribbin seconded by Councillor Ben Brennan, the Minutes of the March Meeting of Laois County Council held on the 25th of March 2013 were confirmed as circulated.

34. FILLING OF CASUAL VACANCY ON LAOIS COUNTY COUNCIL

The Members were advised that notification had been received from the Labour Party nominating Ms. Lisa Delaney, 22 Patrick Street, Mountmellick, Co. Laois to fill the casual vacancy on Laois County Council following the death of Councillor Pat Bowe.

On the proposition of Councillor Patrick Bracken seconded by Councillor Mary Sweeney, Ms. Lisa Delaney was unanimously co-opted to Laois County Council to fill the casual vacancy on Laois County Council.

The Members individually and collectively welcomed Councillor Delaney to the Council and the County Manager, Mr. Peter Carey on behalf of the Management & Staff of Laois County Council also welcomed Councillor Delaney to the Council. In doing so, the County Manager paid tribute to the late Councillor Pat Bowe, for his time with Laois County Council and indicated that Mr. Bowe would be remembered on the commemorative plaque in the Chamber. Councillor Delaney thanked her proposer and seconder, her family and friends and the Labour Party and subsequently took her seat on Laois County Council.

35. NOMINATION OF MEMBER OF LAOIS COUNTY COUNCIL TO THE PLANNING, DEVELOPMENT & ENVIRONMENT STRATEGIC POLICY COMMITTEE

On the proposition of Councillor John Joe Fennelly seconded by Councillor Catherine Fitzgerald, the Members unanimously nominated Councillor Lisa Delaney to the Planning, Development & Environment Strategic Policy Committee

36. NOMINATION OF MEMBER TO THE LOCAL TRAVELLER ACCOMMODATION CONSULTATIVE COMMITTEE

On the proposition of Councillor John King seconded by Councillor Kathleen O' Brien, the Members unanimously nominated Councillor Lisa Delaney to the Local Traveller Accommodation Consultative Committee

37. NOMINATION OF MEMBER TO THE BARROW DRAINAGE BOARD

On the proposition of Councillor Brendan Phelan seconded by Councillor Alan Hand, the Members unanimously nominated Councillor Lisa Delaney to the Barrow Drainage Board

38. NOMINATION OF MEMBER TO COUNTY LAOIS VOCATIONAL EDUCATION COMMITTEE

On the proposition of Councillor Alan Hand seconded by Councillor Mary Sweeney, the Members unanimously nominated Councillor Lisa Delaney to the Laois Vocational Education Committee.

39. NOMINATION OF MEMBER TO LAOIS COUNTY ENTERPRISE BOARD

On the proposition of Councillor James Daly seconded by Councillor Tom Mulhall, the Members unanimously nominated Councillor Lisa Delaney to the Laois County Enterprise Board.

40. NOMINATION OF MEMBER TO LAOIS PARTNERSHIP COMPANY

On the proposition of Councillor Brendan Phelan seconded by Councillor Tom Mulhall, the Members unanimously nominated Councillor Lisa Delaney to the Laois Partnership Company

41. DISPOAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001

- (i) DISPOSAL OF 0.1411 HECTARES OF LAND AT CLONKEEN, PORTLAOISE IN THE TOWNLAND OF CLONKEEN FOR A CONSIDERATION OF €100.00**

On the proposition of Councillor Alan Hand seconded by Councillor William Aird, the Members unanimously agreed to the disposal of 0.1411 hectares of land at Clonkeen, Portlaoise in the townland of Clonkeen for a consideration of €100.00

- (ii) DISPOSAL OF THE FREEHOLD TITLE OF 145 ST. BRIGID'S PLACE, PORTLAOISE, IN THE TOWNLAND OF MONEYBALLYTYRELL FOR A CONSIDERATION OF €300.00**

On the proposition of Councillor Mary Sweeney seconded by Councillor William Aird, the Members unanimously agreed to the disposal of the freehold title of 145 St. Brigid's Place, Portlaoise, in the townland of Moneyballytyrell for a consideration of €300.00

- (iii) DISPOSAL OF 410 MARKET MEWS, MARYBOROUGH VILLAGE, MOUNTRATH ROAD, PORTLAOISE, CO. LAOIS IN THE TOWNLAND OF CLONROOSK LITTLE FOR A CONSIDERATION OF €65,000**

On the proposition of Councillor Rotimi Adebari seconded by Councillor Alan Hand, the Members unanimously agreed to the disposal of 410 Market Mews, Maryborough Village, Mountrath Road, Portlaoise, Co. Laois in the townland of Clonroosk Little for a consideration of €65,000

(iv) DISPOSAL OF 361 MARKET MEWS, MARYBOROUGH VILLAGE, PORTLAOISE, CO. LAOIS IN THE TOWNLAND OF CLONROOSK LITTLE FOR A CONSIDERATION OF €65,000

On the proposition of Councillor Mary Sweeney seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the disposal of 361 Market Mews, Maryborough Village, Portlaoise, Co. Laois in the townland of Clonroosk Little for a consideration of €65,000

42. EXTINGUISHMENT OF RIGHT OF WAY – BALLYBRITTAS

On the proposition of Councillor Ray Cribbin seconded by Councillor Tom Mulhall, the Members unanimously agreed to the extinguishment of Right of Way at the following location:-

Local Road L-7156 at Ballybrittas, Portlaoise between Points X: 657733.10 Y:706979.69 and X: 657760.34 Y:706988.11

43. ADOPTION OF LAOIS DRAFT ARTS PLAN

Ms. Muireann Ní Chonaill, Arts Officer presented the Laois Draft Arts Plan to the Members of Laois County Council. Ms Ní Chonaill advised that Laois Arts Plan 2013-2016 is the fourth Arts Plan to be implemented by Laois County Council. The Members were provided with details on all the facilities that are available for the Arts in Laois including the newly established Arthouse in Strdabllly. The Members complimented the Arts Officer on her wonderful work to date.

On the proposition of Councillor John King seconded by Councillor John Fleming, the Members unanimously adopted the Laois Draft Arts Plan.

44. CORRESPONDENCE

The following items of correspondence were circulated to the Members

- (i) Correspondence received from the Office of the Minister for Agriculture, Food & The Marine, Dublin 2 dated the 17th of April 2013 in relation to Notice of Motion No: 04/2013
- (ii) Correspondence received from the office of the Minister for Housing & Planning, Dublin 2 in relation to the Housing Adaptation Grant Schemes for Older People and People with a Disability

45. NOTICE OF MOTION

On the proposition of Councillor Padraig Fleming, seconded by Councillor Alan Hand, it was agreed that Notice of Motion No: 11/2013 would be taken first.

Notice of Motion No: 11/2013

Councillors Padraig Fleming, Catherine Fitzgerald, Brendan Phelan, John Joe Fennelly, Jerry Lodge, Ray Cribbin, Seamus McDonald & Patrick Bracken proposed the following Notice of Motion:-

“That Laois County Council amend the County Development Plan in relation to Wind Energy Strategy so that wind turbines shall be located further away from dwelling houses in view of new technology and the increased height of wind turbines”

This motion was seconded by Councillor Fitzgerald

The Members were advised that the policy of Laois County Council is set out in the Wind Energy Strategy for County Laois adopted as part of the Laois County Development Plan 2011 – 2017. The overall objective of the strategy is to facilitate the development of wind energy in the County in ways that balance the environmental, social and economic benefits with any demonstrated impacts particularly those of a landscape and amenity variety.

The strategy evaluates and analyses the potential wind energy resource within County Laois, outlines the key environmental and planning considerations for windfarm development forms the basis for a more streamlined assessment of planning applications for wind farming and ultimately assists in the decision making process of the Planning Authority.

The strategy makes numerous references to the ‘Wind Energy Development Guidelines’ prepared by the Department of the Environment in 2006. This is the official Department guidance in relation to the industry.

The Department has just announced a comprehensive review of the guidelines in conjunction with the Department of Communications, Energy and Natural Resources. It is envisaged that this review will be completed by the end of the year. The Planning Authority will also undertake a review of the Wind Energy Strategy as part of its mid-term review of the Laois County Development Plan 2011-2017. This review is also scheduled to commence before the end of the year.

It is considered, therefore, that any such amendment as proposed in the Notice of Motion is premature. Following a discussion, it was agreed that a letter would issue to the Minister outlining the Members concerns.

Notice of Motion No: 07/2013

Councillor Alan Hand proposed the following Notice of Motion:-

“That this Local Authority re-double its efforts in the collection of monies owed in respect of derelict sites and that this Council write to the relevant Minister calling for stronger legislation to deal with derelict sites”

This Notice of Motion was seconded by Councillor Lisa Delaney

The Members were informed that a comprehensive review of the existing Derelict Sites Register has commenced and the Council is following up with all necessary appropriate action. It was agreed that a letter issue to the Minister in this regard.

Notice of Motion No: 08/2013

Councillors Padraig Fleming, Brendan Phelan, John Joe Fennelly, Jerry Lodge, Ray Cribbin, Seamus McDonald & Patrick Bracken proposed the following Notice of Motion:-

“That Laois County Council supports frontline public sector workers both in the Health Services and the Gardaí who are required to work weekends in the public interest and that they should not be singled out for a disproportionate pay cut because they provide essential and emergency services at weekends”

This motion was seconded by Councillor Catherine Fitzgerald and noted.

Notice of Motion No: 09/2013

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

“That this Council request the Minister for the Environment, Community & Local Government, Mr. Phil Hogan, T.D., to introduce legislation which will change the present waste system of paying per bin to paying by weight”

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

Notice of Motion No: 10/2013

Councillor Catherine Fitzgerald proposed the following Notice Of Motion:-

“That this Council request the Minister for the Environment, Community & Local Government, Mr. Phil Hogan, T.D., to introduce legislation that could provide for the removal of unruly and unsociable tenants from their private rented accommodation”

This motion was seconded by Councillor Jerry Lodge. It was agreed to write to the Minister for the Environment, Community & Local Government in this regard.

This concluded the business of the meeting.

SIGNED:

CATHAOIRLEACH

CERTIFIED:

DIRECTOR OF CORPORATE
AFFAIRS