

**MINUTES OF THE FEBRUARY MEETING OF LAOIS COUNTY COUNCIL HELD IN ÁRAS AN  
CHONTAE, PORTLAOISE ON 22<sup>nd</sup> OF FEBRUARY 2010**

**PRESENT: Councillors**

John Moran	In the Chair
Rotimi Adebari	William Aird
John Bonham Pat Bowe	
Patrick Bracken	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	Tom Mulhall
Kathleen O' Brien	Brendan Phelan
Brian Stanley	Mary Sweeney

**Apologies:** James Daly Martin Phelan

**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.

**13. FAIRTRADE FORTNIGHT**

Councillor Brian Stanley reminded Members that this is currently Fairtrade Fortnight and that Portlaoise is a designated Fairtrade Town. He encouraged the local community to support the purchase of fair-trade products. He also acknowledged and thanked Laois County Council for its support.

**14. CONFIRMATION OF MINUTES**

On the proposition of Councillor John Joe Fennelly seconded by Councillor William Aird, the minutes of the January meeting held on the 25<sup>th</sup> of January 2010 were adopted as circulated.

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

On the proposition of Councillor Patrick Bracken seconded by Councillor David Goodwin, the Members unanimously agreed to the disposal of serviced residential site (No. 35) at Clonaslee in the townland of Clonaslee for a consideration of €16,200, the site subsidy being €31,800.

## **16. ADOPTION OF PROPOSED AMENDMENT TO THE PORTLAOISE LOCAL AREA PLAN 2006 – 2012**

The Members were advised by Ms. Anna Marie Delaney, Director of Services that Members are required, under Part 15 of the Local Government Act 2001, to comply with the requirements of the Act in relation to disclosure of pecuniary or other beneficial interests at Council Meetings.

A Member must disclose:-

- (a) any pecuniary or other beneficial interests of which he or she has actual knowledge
- (b) that he or she or a connected person has or which is material to any matter proposed or otherwise arising for discussion at this special Meeting or at any meeting reconvened as a result of the adjourning of this Special Meeting

Ms. Angela McEvoy A/Senior Planner presented the amendments to the Draft Portlaoise Local Area Plan 2006-2012 as circulated on the 12<sup>th</sup> January 2010. She outlined the amendment had been undertaken in order to facilitate the sustainable development of the town and environs area and to meet the economic, social and demographic growth requirements of Portlaoise Town in accordance with the objectives of the National Spatial Strategy (NSS) and Midland Regional Planning Guideline's (MRPG's). This amendment represents a considered planning response to several issues including:

1. The preparation of 2 masterplans for significant areas of Portlaoise
  - a. Portlaoise Northern Environs Masterplan
  - b. Togher Masterplan
2. New Governmental Guidelines and changes in legislation
3. Pressure regarding the location of retail developments
4. Non conforming uses

The Managers Report forms part of the statutory process of the Amendment to the Portlaoise Local Area Plan 2006-2012. It sets out the procedures for preparation of the Amendment to the Plan. It then gives a summary of the issues raised during the consultation period and is followed by the Managers response and recommendations. The report is submitted for consideration by the Members of Laois County Council.

The Members were presented with the Draft Amendments to the Portlaoise Local Area Plan with details of the issues arising from Stage One Consultation. The Amendments were prepared in October 2009 by the Forward Planning Department. The Managers report includes the submissions and observations received from the public following the publication of the Draft Amendment to the Portlaoise Local Area Plan 2006-2012 and the Manager's response to the issues raised. A total of 12 written submissions were received during the consultation period.

Ms. Angela McEvoy A/Senior Planner, outlined the importance of the meeting and that Members must have cognisance of the following:

- (a) The issues emerging from the submissions
- (b) The issues emerging from individual departments of the Council
- (c) The statutory requirements of the Planning & Development Acts 2000,2002
- (d) The proper planning and sustainable development of the County

- (e) The statutory obligations placed on Laois County Council
- (f) The relevant policies and objectives of the Government or any Minister of the Government such as National Spatial Strategy, the Midlands Regional Planning Guidelines, the Sustainable Rural Housing Guidelines and other relevant binding Guidelines and Directives
- (g) That we are one of the first Council's to use the Strategic Environmental Assessment under a directive from the Department of Environment Heritage and Local Government following European Directive.

The County Manager informed the Members that consideration of the County Manager's Report must be completed by Tuesday 23<sup>rd</sup> February 2010 in order to facilitate the commencement of the next statutory phase in the process. This involves the placing on public display of the material alterations to the draft which result from the consideration of the Manager's Report by the Members.

Ref No	Name	Submission	Managers Recommendation
AM SUB/01	O'Brien and McNamara	Requests rezoning from transport and utilities to residential	No further action
AM SUB/02	O'Brien and McNamara	Regarding neighbourhood centres size and provision	An objective for an additional neighbourhood centre to be indicated north of Kilminchy Size of convenience retail within neighbourhood centre to be changed to 500sq.m. as per Retail Planning Guidelines 2005
AM SUB/03	The Booth Family	Zoning outside the PNOR*	Could not be considered
AM SUB/04	Donal Morrissey	Change from general business to edge of centre	Land use matrix to be amended to allow for retail warehousing within general business zone
AM SUB/05	Department of Communications Marine & Natural Resources	Environmental issues	Noted
AM SUB/06	Presentation Sisters	Framework plan	Vision and objectives to be included
AM SUB/07	J Lalor and J Grace	Requests change from residential to general business *	Could not be considered
AM SUB/08	Environmental Protection Agency	Environmental issues	Noted and Section on Natural Heritage to be included
AM SUB/09	Patrick and Teresa McEvoy	Requests change from general business to part edge of centre/ general business	Open Space to be relocated and land zoned for general business
AM SUB/10	Sean Mullins	General	Noted
AM SUB/11	Kellyville	Requests change from edge of centre to town centre secondary	No further action
AM SUB/12	Midway Developments	General	Noted and no further action required
AM SUB/13	Department of Environment, Heritage and Local Government	General	Noted
AM SUB/14	Cllr Brian Stanley	General	Noted

The following comments were made following the presentation of the 12 submissions -

1. Importance of completion and upgrade of roads Infrastructure – particularly, the Mountmellick Road
2. Reinstatement of the 15m rear gardens
3. Quality and Layout of housing estates
4. Quality of apartments
5. Number and purpose of Neighbourhood Centres
6. Provision of a Library Building
7. Provision of a Heritage Centre & Museum in Portlaoise,
8. Infrastructure in place before development takes place
9. More recreation spaces for children to play

Ms. Angela McEvoy A/Senior Planner acknowledged all the comments made and advised that the DoEHLG had produced new guidance in 2008 **Sustainable Residential Development in Urban Areas** which gives guidance in relation to the density, design and layout of estates. Also in relation to apartments the DoEHLG had produced - **Sustainable Urban Housing – Design Standards for New Apartment Guidelines for Planning Authorities** which were brought out in September 2007. These two documents have now been incorporated into the plan by way of this amendment. An Open Space Document was adopted by the Council in 2007 prepared by the SPC and that too has been incorporated into Plan. Miss McEvoy advised that 15m gardens can be reinstated in the plan and the objective for improvements to the Mountmellick Road is mentioned in the plan but can be added to the specific objectives at the back of the plan. The retail Hierarchy was produced to protect the Core of the town. Neighbourhood Centres are encouraged in the Retail Planning Guidelines 2005 as produced by the DoEHLG. The intention of these is to complement the town centre and provide a level of service to large population areas. Miss McEvoy acknowledged that a Masterplan had been done for the Presentation Sisters land to guide developers.

The County Manager thanked the planning section for the preparation of the amendment which includes Masterplans and develops a vision for the future. He recommends adoption of the County Manager's report. Councillor William Aird and Councillor Mary Sweeney declared an interest in the Area Plan and removed themselves from the Council Chamber for the vote on the adoption of the plan. On the proposition of Councillor Jerry Lodge and seconded by Councillor Kathleen O'Brien, the County Manager's Report as presented was agreed.

## **17. PRESENTATION BY MR. MARTIN DALY, DIRECTOR OF MIDLAND REGIONAL AUTHORITY ON THE DRAFT MIDLANDS REGIONAL PLANNING GUIDELINES 2010 – 2022**

Mr. Martin Daly, Director, Midland Regional Authority was in attendance to give a brief presentation on the draft Midlands Regional Planning Guidelines which will be on public display from 18<sup>th</sup> February until 28<sup>th</sup> April 2010. Ms. Paula Kenny of the Midland Regional Authority was also in attendance. Mr. Daly responded to the various queries .

The County Manager, Mr. Peter Carey acknowledged the input of the elected Members in the formation of the guidelines and thanked the Midland Regional Authority for their comprehensive presentation.

**18. PRESENTATION BY MS. MARGARET MORRIN, CENTRE DIRECTOR, LAOIS THIRD LEVEL CENTRE (L.A.B.E.L.)**

Ms. Margaret Morrin, Centre Director of L.A.B.E.L. gave a very comprehensive presentation to the Members on the role of L.A.B.E.L. which was established in 2001 in partnership with Laois County Council, Laois V.E.C. and Laois County Enterprise Board. It was noted that 500 students have benefited from third level education to date. There are 160 students enrolled for the academic year 2009/2010. The courses being provided are up to and including Level 8.

The Members complimented Ms. Morrin on the service being provided by L.A.B.E.L. Mr. Peter Carey, County Manager also thanked Ms. Morrin and acknowledged the input of the elected members and Councillor Jerry Lodge and the collaboration between all the agencies involved for the tremendous progress to date.

Ms. Morrin thanked Laois County Council and in particular Mr. Declan Byrne, Director of Services and also acknowledge the support of the V.E.C.

**19. CORRESPONDENCE**

The following items of correspondence which were received since the last meeting were circulated to Members :

- (a) Correspondence from The Department of the Environment, Heritage & Local Government dated the 16<sup>th</sup> of February 2010 in relation to the Staff Embargo
- (b) Correspondence from Social Welfare Services, dated the 21<sup>st</sup> of January 2010 in relation to the issue of queues outside Social Welfare offices
- (c) Correspondence from the Office of the Minister for Agriculture, Fisheries and Food dated the 18<sup>th</sup> of February 2010 in relation to the new Agri-Environmental Scheme

**20. NOTICE OF MOTIONS**

**Notice of Motion No: 02/10**

Councillor William Aird proposed the following Notice of Motion:-

*“That Laois County Council call on the Minister for Finance to change the regulation for qualification for Higher Education Grants so that the current years income is taken into consideration and not the previous years particularly in light of the present economic climate”*

This motion was seconded by Councillor John Joe Fennelly

It was agreed that a letter issue to the Minister in this regard.

**Notice of Motion No: 03/10**

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

*“That Laois County Council give a timescale of when they propose to submit proposals in relation to the Design, Build & Operate Contract for the Six Towns Sewerage to the Department and the up to date position on this matter”*

This motion was seconded by Councillor Patrick Bracken. The Members were advised of the following situation:-

Network – Contract documents for the network were submitted to the Department in February 2009. Approval is being awaited to proceed to tender.

Treatment Plants – Contract documents were submitted to the Department in April 2008. Pre-qualification and shortlisting of contractors took place in April 2009. In December 2009, the Department requested a review of the contract documents to assess the suitability of an Integrated Constructed Wetland for Clonaslee. Site investigations will be completed by the end of March 2010 at which stage we will be meeting the Department.

This concluded the business of the meeting.

**SIGNED:** \_\_\_\_\_  
**CATHAOIRLEACH**

**CERTIFIED:** \_\_\_\_\_  
**DIRECTOR OF CORPORATE AFFAIRS**