

**MINUTES OF THE FEBRUARY MEETING OF LAOIS COUNTY COUNCIL HELD IN ARAS  
AN CHONTAE ON THE 28<sup>TH</sup> OF FEBRUARY 2011**

**PRESENT:**    **Councillors**    James Deegan            In the Chair  
   Rotimi Adebari           William Aird  
   John Bonham Pat Bowe  
   Paddy Bracken           Ben Brennan  
   Ray Cribbin               John Joe Fennelly  
   Catherine Fitzgerald    Pdraig 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:**    Councillor    James Daly

**IN ATTENDANCE:**

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

**17.     VOTE OF CONGRATULATIONS**

On the proposition of Councillor Mary Sweeney, the members unanimously extended congratulations to Deputy Charles Flanagan on his recent success in being re-elected to Dáil Eireann.

**18.     VOTE OF SYMPATHY**

On the proposition of Councillor Brian Stanley, the members unanimously extended a vote of sympathy to the Dunne family, Knockmay on the recent death of Mrs. Bridie Dunne.

On the proposition of Councillor Ray Cribbin, the members unanimously extended a vote of sympathy to the Kirwan family, Portarlington on the recent death of Mr. Eugene Kirwan.

On the proposition of Councillor Catherine Fitzgerald, the members unanimously extended a vote of sympathy to the Lalor family on the recent death of Mr. Paddy Lalor.

On the proposition of Councillor Michael Lalor, the members unanimously extended a vote of sympathy to the O' Neill family on the recent death of Mr. Seamus O' Neill, Shannon Street, Mountrath.

On the proposition of Councillor John Bonham, the members unanimously extended a vote of sympathy to Mr. Gerry Murphy, Head of Finance on the death of his mother-in-law.

**19. CONFIRMATION OF MINUTES OF THE JANUARY MEETING HELD ON THE 31<sup>ST</sup> OF JANUARY 2011**

On the proposition of Councillor Patrick Bracken seconded by Councillor Brendan Phelan, the Minutes of the January Meeting held on the 31<sup>st</sup> of January 2011 were confirmed as circulated.

**20. DISPOSAL OF LAND UNDER SECTION 183 OF THE LOCAL GOVERNMENT ACT, 2001 IN RESPECT OF:**

- (a) Disposal of land at Oakleaf Place, Portlaoise in the townland of Knockmay to the following:
- (i) On the proposal of Councillor Brian Stanley seconded by Councillor Pat Bowe, the members unanimously agreed to the disposal of land at Oakleaf Place, Portlaoise in the townland of Knockmay, 32 Oakleaf Place, Portlaoise, Co. Laois, for a consideration of €1.00
  - (ii) On the proposal of Councillor Brian Stanley seconded by Councillor Jerry Lodge, the members unanimously agreed to the disposal of land at Oakleaf Place, Portlaoise in the townland of Knockmay, 28 Oakleaf Place, Portlaoise, Co. Laois, for a consideration of exchange of plot of land at Oakleaf Place, Portlaoise
  - (iii) On the proposal of Councillor Catherine Fitzgerald seconded by Councillor Kathleen O' Brien, the members unanimously agreed to the disposal of land at Oakleaf Place, Portlaoise in the townland of Knockmay, 30 Oakleaf Place, Portlaoise, Co. Laois, for a consideration of exchange of plot of land at Oakleaf Place
  - (iv) On the proposal of Councillor Brian Stanley seconded by Councillor Mary Sweeney, the members unanimously agreed to the disposal of land at Oakleaf Place, Portlaoise in the townland of Knockmay, 36 Oakleaf Place, Portlaoise, Co. Laois. For a consideration of €1.00

- (v) On the proposal of Councillor Jerry Lodge seconded by Councillor Patrick Bracken, the members unanimously agreed to the disposal of land at Oakleaf Place, Portlaoise in the townland of Knockmay, 33 Oakleaf Place, Portlaoise, Co. Laois, for a consideration of €1.00
  - (vi) On the proposal of Councillor Brian Stanley seconded by Councillor Catherine Fitzgerald, the members unanimously agreed to the disposal of land at Oakleaf Place, Portlaoise in the townland of Knockmay, 29 Oakleaf Place, Portlaoise, Co. Laois, for a consideration of exchange of plot of land at Oakleaf Place, Portlaoise
- (b) Disposal of land at the Fairways, Abbeyleix in the townland of Rathmoyle to the following:
- (i) On the proposal of Councillor John Joe Fennelly seconded by Councillor John Bonham, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix in the townland of Rathmoyle, No. 3 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00
  - (ii) On the proposal of Councillor John Bonham seconded by Councillor John Joe Fennelly, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix in the townland of Rathmoyle, No. 4 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00

## **21. E.P.A. REPORT ON THE PROVISION AND QUALITY OF DRINKING WATER IN IRELAND 2008 – 2009**

Mr. Gerry Gibson briefed the members on this report issued by the Environmental Protection Agency for 2008 – 2009 into the quality of drinking water in Ireland. Over 85% of the Country is supplied by water from local authority operated, water supply schemes. Improvements in the provision and quality of drinking water is reflective of the continued capital investment in this sector. Laois County Council is responsible for the operation of 29 Public Water Schemes (PWS) servicing a population of 63,400. Microbiological compliance in PWS in Laois was 100% in 2008 and 2009.

There were no non-compliance of microbiological parametric values in 2008 and 2009. The Remedial Action List (RAL) is a list of public water schemes where remedial action is required to ensure compliance with the requirements of the Drinking Water Regulations. In 2009, no supplies were added to the RAL and the three existing were removed (Ballinakill, Clonaslee and Durrow). The installation of chlorine monitors and alarms is required to ensure that the supply is adequately disinfected at all times. Chlorine monitor and alarms were in place on all Laois

County Council's water plants in 2009. The E.P.A. Report depicts a very positive view of P.W.S. in County Laois.

The County Manager, Mr. Peter Carey expressed thanks to the staff for their commitment during the period of severe weather in December 2010

## **22. AUDIT REPORT 2009**

The Members were circulated with a copy of the Statutory Audit Report for the year ended 31<sup>st</sup> of December 2009. Mr. Gerry Murphy, Head of Finance briefed the Members on the report. The Members were advised that the Annual Financial Statement for 2010 would be circulated at the April Council Meeting.

## **23. CORRESPONDENCE**

The following correspondence was circulated to the Members:-

- (1) Correspondence from the Department of Communications, Energy and Natural Resources dated the 1<sup>st</sup> of February 2011 regarding the postal service
- (2) Correspondence from the Department of the Environment, Heritage & Local Government dated the 14<sup>th</sup> of February 2011 in relation to 2011 Capital Allocations for Disabled Persons and Essential Repairs Grant Schemes and Housing Adaptation Grant Schemes for Older People and People with a Disability
- (3) Correspondence from the SMEs Policy Unit dated the 25<sup>th</sup> of February 2011 in reply to a Notice of Motion in relation to making capital available to industries and businesses.
- (4) Correspondence in relation to Section 19E of the Local Elections (Disclosure of Donations and Expenditure) Act, 1999

## **24. NOTICE OF MOTIONS**

### **Notice of Motion No: 05/11**

Councillor Tom Mulhall proposed the following Notice of Motion:-

*“That this Council meet with Carlow County Council and other relevant bodies to discuss a weir that was erected at Jerusalem in Carlow. This was put in place to alleviate flooding in Carlow but it is causing thousands of acres of farm land to flood in County Laois”*

This motion was seconded by Councillor Paul Mitchell.

The Members were advised that this weir is under the jurisdiction of Waterways Ireland. The weir is an integral part of the Barrow Navigation, one of the inland navigable waterways under the remit of Waterways Ireland which is a cross-border body set up under the British-Irish Agreement with responsibility for specified inland navigable waterways. The Barrow Navigation weirs were installed in the late 1700s/early 1800s and any lowering of the crest level of any of the weir would have a catastrophic effect on the navigation. Any work on the weir would have to be agreed in advance with Waterways Ireland and no work will be agreed which would impact negatively on the navigation.

Mr. John Daly, Director of Services also indicated that some studies have been carried out by the O.P.W. on the Rivers Lee and Shannon. It is anticipated to invite tenders for the South Eastern Region. The Members would be updated on any developments in this regard.

**Notice of Motion No: 06/11**

Councillor Jerry Lodge proposed the following Notice of Motion:-

*“That this Council calls on the Minister for Housing, Minister Finnernan to immediately withdraw his proposal to remove housing functions from local authorities and transfer such powers to regional authorities, in the interest of those families on our housing lists and those who are homeless as their voices will never be heard at a regional level”*

This motion was seconded by Councillor Ray Cribbin. It was agreed that a letter issue to the Minister in this regard and that the support of all the other local authorities also be sought.

This concluded the business of the meeting.

**SIGNED:**

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**CATHAOIRLEACH**

**CERTIFIED:**

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**DIRECTOR OF CORPORATE  
AFFAIRS**

