

**MINUTES OF THE FEBRUARY MEETING OF LAOIS COUNTY COUNCIL HELD IN
ÁRAS AN CHONTAE ON THE 29TH OF FEBRUARY 2016**

PRESENT: Councillors Catherine Fitzgerald In the Chair
William Aird Paddy Bracken
John Joe Fennelly Caroline Dwane Stanley
Padraig Fleming David Goodwin
James Kelly John King
Jerry Lodge Seamus McDonald
Paschal McEvoy John Moran
Tom Mulhall Aidan Mullins
Brendan Phelan Mary Sweeney
Noel Tuohy Ben Brennan

IN ATTENDANCE:

Messrs John Mulholland, Chief Executive, Gerry Murphy, Head of Finance, Kieran Kehoe, Director of Services, Mr. Michael Rainey, A/Director of Services, Ms. Irene Delaney, Administrative Officer, & Ms. Michelle McCormack, Executive Secretary.

**13. CONFIRMATION OF THE MINUTES OF THE JANUARY MEETING HELD
ON THE 25TH OF JANUARY 2016**

On the proposition of Councillor Willie Aird seconded by Councillor John King, the Minutes of the January meeting of Laois County Council held on the 25th of January 2016 were agreed as circulated.

14. REPORTS ON MUNICIPAL DISTRICT MEETINGS HELD IN JANUARY 2016

On the proposition of Councillor John King seconded by Councillor John Moran, the reports on Municipal District meetings held in January 2016 were noted and agreed as circulated.

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

**(i) DISPOSAL OF 0.0278 HECTARES OF LAND AT 28 SLIEVE BLOOM
HEIGHTS, RATHDOWNEY.**

On the proposition of Councillor Brendan Phelan seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.0278 hectares of land at 28 Slieve Bloom Heights, Rathdowney, in the townland of Rathdowney for a consideration of €91,000.00

**(ii) DISPOSAL OF 0.066 HECTARES OF LAND AT GRANTSTOWN,
BALLACOLLA**

On the proposition of Councillor John King seconded by Councillor Brendan Phelan, the Members unanimously agreed to the disposal of 0.066 hectares of land at Grantstown, Ballacolla, Co. Laois in the townland of Oldglass for a consideration of €100.00

(iii) DISPOSAL OF 0.0495 HECTARES OF LAND AT MULLAGHANARD CROSS, ROSENALLIS

On the proposition of Caroline Dwane Stanley seconded by Councillor Seamus McDonald, the Members unanimously agreed to the disposal of 0.0495 hectares of land at Mullaghanard Cross, Rosenallis in the townland of Mullaghanard or Derreen for a consideration of €100.00

16. LAOIS COUNTY COUNCIL MONTHLY MANAGEMENT REPORT FOR JANUARY 2016 (IN ACCORDANCE WITH CIRCULAR LETTER LG 18/2014)

Mr. John Mulholland, Chief Executive briefed the meeting on this matter and the report for January was circulated. The report for January 2016 was unanimously agreed and noted. A number of queries were raised on the report and the Directors of Services responded to the queries raised.

17. ROADS & TRANSPORTATION GRANTS AND ALLOCATIONS 2016

The Members noted the 2016 Roads and Transportation Allocations as circulated. Mr. Kieran Kehoe, Director of Services briefed the Members on the various allocations.

18. TAKING IN CHARGE

(i) TAKING IN CHARGE OF BALLYMORRIS COURT, PORTARLINGTON

On the proposition of Councillor Tom Mulhall seconded by Councillor Aidan Mullilns, the Members unanimously agreed to the taking in charge of Ballymorris Court, Portarlinton.

(ii) TAKING IN CHARGE OF LIMETREE AVENUE, KILMINCHY

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor Noel Tuohy, the Members unanimously agreed to the taking in charge of Limetree Avenue, Kilminchy

(iii) TAKING IN CHARGE OF RAHIN TOWERS, BALLYLINAN

On the proposition of Councillor Pdraig Fleming seconded by Councillor Ben Brennan, the Members unanimously agreed to the taking in charge of Rahin Towers, Ballylinan.

19. RATIFICATION OF MR. DAVE HACKETT, ASSISTANT PRINCIPAL AS THE DEPARTMENT OF SOCIAL PROTECTION REPRESENTATIVE OF THE L.C.D.C.

The Members were advised of the recent notification to the Chief Officer of Laois LCDC from the Department of Social Protection in relation to their representation on the Local Committee Development Committee. It is proposed that Ms. Olivia Clarke, Assistant Principal will be replaced by Mr. Dave Hackett, Assistant Principal as the Department of Social Protection representative on the Local Community Development Committee, with immediate effect. On the proposition of Councillor John King seconded by Councillor John Joe Fennelly, the Members ratified Mr. Dave Hackett as the Department of Social Protection's representative on the Local Community Development Committee.

20. DRAFT TRAINING & DEVELOPMENT PROGRAMME

The Members were circulated with a copy of the draft Training & Development Programme for Members for 2016 in accordance with Department Circular LG 3/2015. On the proposition of Councillor Jerry Lodge seconded by Councillor William Aird the draft Training & Development Programme for 2016 was adopted.

21. RATIFICATION OF CONFERENCES/ATTENDANCE AT TRAINING

On the proposition of Councillor John King seconded by Councillor Jerry Lodge, the Members unanimously agreed to the ratification of conferences/attendance at training as circulated.

22. UPDATE ON 1916 COMMEMORATIVE PROGRAMME – PRESENTATION BY MS. CATHERINE CASEY, HERITAGE OFFICER

Ms. Catherine Casey, Heritage Officer updated the Members on the forthcoming Centenary Commemorations, the various proposed projects including the commemorative garden at Áras an Chontae, Schools Projects, St. Patrick's Day Parades and the various arrangements for Proclamation Day. The Members thanked Ms. Casey for a very comprehensive presentation and for her dedication and commitment to the 1916 Commemorative Programme.

23. NOTICE OF MOTIONS

Notice of Motion No: 05/2016

Councillor William Aird proposed the following Notice of Motion:

“That Laois County Council provide an update on meetings with Irish Water”

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. The Members were advised that Laois County Council meets regularly with officials from Irish Water to discuss operations & Maintenance and the capital programme.

For Operations and Maintenance there are two categories of formal meetings with IW, namely Tier 2 and Tier 3. Tier 2 meetings are chaired by the Regional Head of Operations and cover Water and Waste Water Quality and Compliance, Water Conservation and Leak Detection, Health & Safety and Finance and record performance in these areas. These meetings were held in January, April, July and October 2015. Tier 3 meetings are chaired by the Regional Operational Leads and cover the same items as above and were held in February, May September and November 2015 and also records performance.

In addition to the above Capital Projects and Asset Management meetings are held on a monthly basis. There are also regular unscheduled meetings with Operations Teams, Health and Safety and Quality Teams and Compliance Teams as required.

Notice of Motion No: 06/2016

Councillor John King proposed the following Notice of Motion:

“That Laois County Council apply to the OPW for funding to clean out rivers Nore, Goul and Erkina as a matter of urgency as it is some time since they have been cleaned”

This Notice of Motion was seconded by Councillor John Moran. The Members were advised that the drainage boards for the Rivers Goul and Barrow were dissolved at the end of 2014 and their respective responsibilities were subsumed into Laois County Council and other local authorities in their respective areas.

The Office of Public Works is responsible for the maintenance of arterial drainage schemes and catchment drainage schemes that it has undertaken around the Country, this is a statutory responsibility under the Arterial Drainage Acts of 1945 and 1995. If rivers do not fall into any of these schemes, as is currently the case here, then the OPW will advise that it is not permitted to carry out any works and will not provide any funding.

All works must have the consent of the National Parks and Wildlife Service (NPWS) and Inland Fisheries Ireland (IFI) owing to the sensitivities of the rivers which includes the freshwater pearl mussel in sections. All works require an Appropriate Assessment screening to be carried out and usually a Natura Impact Statement (NIS) by an ecologist along with other environmental reports as may be required.

Laois County Council agrees an annual programme of works with the Upper River Nore Maintenance Stakeholder Group. Laois County Council along with the advice of an ecologist seeks the necessary approvals to carry out this programme of works from the NPWS and the IFI. The members of Laois County Council support this programme with an annual budget of €21,000.

For 2016, Laois County Council currently has secured permission from the NPWS and IFI to carry out some normal channel maintenance works on the Upper River Nore, i.e. removal of silt only from the river channel. We do not have permission to deepen or widen the river.

Laois County Council also carries out an annual programme of maintenance on the River Goul and River Barrow Drainage areas. The members of Laois County Council support this programme with an annual budget of €187,000.

Laois County Council will write to the OPW in relation to the cleaning of the channels of the river Nore, Erkina, Gully and Delours not covered by the drainage areas of the Goul and Barrow.

Notice of Motion No: 07/2016

Councillor Tom Mulhall proposed the following Notice of Motion:-

“That Laois County Council give an update on their policy of issuing fines and bringing people to court for illegal dumping”

This Notice of Motion was seconded by Councillor John Joe Fennelly. The Members were advised that Laois County Council takes a proactive approach in responding to littering and illegal dumping. In the first instance all complaints are logged by Environment staff on the complaints database and assigned to the relevant personnel. Site investigations are carried by our three litter wardens, photographs are taken and evidence gathered. Depending on the available evidence, a litter fine may issue. If a fine remains unpaid within 21 days, a 7 day reminder notice is issued. If the fine remains unpaid, legal proceedings will be initiated. In 2015, 171 litter fines were issued, 92 of which were paid, 41 prosecutions were commenced and there was 16 convictions in that period.

In accordance with S10 (3) of the Litter Pollution Act, at the March Council meeting the members will be provided with a full report outlining the measures taken by the local authority in 2015 in relation to the prevention and control of litter.

Notice of Motion No: 07/2016

Councillor Noel Tuohy proposed the following Notice of Motion

That this Council express its abhorrence at the US Presidential Candidate Donald Trump's threats to expel millions of Mexican people and to build a wall across the border as it could eventually effect Irish Immigrants.

This Notice of Motion received no seconder.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF CORPORATE
AFFAIRS

