

**MINUTES OF THE FEBURARY MONTHLY MEETING OF LAOIS COUNTY COUNCIL  
HELD IN ÁRAS AN CHONTAE ON THE 24<sup>TH</sup> OF FEBRUARY 2014**

<b>PRESENT:</b>	Councillors	Mary Sweeney	In the Chair
		Rotimi Adebari	William Aird
		John Bonham	Patrick Bracken
		Ben Brennan	Ray Cribbin
		James Daly	James Deegan
		Lisa Delaney	John Joe Fennelly
		Catherine Fitzgerald	Padraig Fleming
		David Goodwin	John King
		Michael Lalor	Jerry Lodge
		Seamus McDonald	Paul Mitchell
		John Moran	Tom Mulhall
		Kathleen O' Brien	Brendan Phelan
		Martin Phelan	Caroline Dwane Stanley

**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.

**10. CONFIRMATION OF THE MINUTES OF THE JANUARY MEETING OF LAOIS COUNTY COUNCIL HELD ON THE 27<sup>TH</sup> OF JANUARY 2014**

On the proposition of Councillor James Deegan seconded by Councillor Brendan Phelan, the Minutes of the January Meeting of Laois County Council held on the 27<sup>th</sup> of January were confirmed as circulated.

**11. DISPOSAL OF LAND UNDER SECTIN 183 OF THE LOCAL GOVERNMENT ACT, 2001**

**(i) DISPOSAL OF PROPERTY AT 360 MARKET MEWS, MARYBOROUGH VILLAGE, MOUNTRATH ROAD, PORTLAOISE**

On the proposition of Councillor William Aird seconded by Councillor Kathleen O' Brien, the Members unanimously agreed to the disposal of property at 360 Market Mews, Maryborough Village, Mountrath Road, Portlaoise in the townland of Clonroosk for a consideration of €65,000

**(ii) DISPOSAL OF PROPERTY AT PROPERTY AT 363 MARKET MEWS, MARYBOROUGH VILLAGE**

On the proposition of Councillor John Joe Fennelly seconded by Councillor Mary Sweeney, the Members unanimously agreed to the disposal of property at 363 Market Mews, Maryborough Village, Mountrath Road, Portlaoise in the townland of Clonroosk Little for a consideration of €65,000

**(iii) DISPSOAL OF PROPERTY AT 364 MARKET MEWS, MARYBOROUGH VILLAGE**

On the proposition of Councillor William Aird seconded by Councillor Mary Sweeney, the Members unanimously agreed to the disposal of property at 364 Market Mews, Maryborough Village, Mountrath Road, Portlaoise in the townland of Clonroosk for a consideration of €65,000

**(iv) DISPOSAL OF PROPERTY AT 367 MARKET MEWS, MARYBOROUGH VILLAGE**

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the disposal of property at 367 Market Mews, Maryborough Village, Mountrath Road, Portlaoise, in the townland of Clonroosk Little for a consideration of €65,000

**(v) LEASE OF SITE AT MARKET SQUARE, STRADBALLY, CO. LAOIS**

Councillor James Deegan excused himself from the meeting for the discussion on this item in accordance with Part 15 of the Local Government Act, 2001 in relation to disclosure of pecuniary or other beneficial interests.

On the proposition of Councillor James Daly seconded by Councillor Ray Cribbin, the members unanimously agreed to the lease of site at Market Square, Stradbally, Co. for a period of 50 years for a consideration of €1.00 per annum.

**12. APPROVAL TO THE RAISING OF A LOAN IN THE SUM OF €750,000 FOR THE CAPPING OF CELLS, GAS INFRASTRUCTURE AND GENERAL INFRASTRUCTURAL WORKS IN KYLETALESHA LANDFILL**

The Members were advised that a loan is required to fund the following works in the landfill

- Capping of Cell 15B
- Landfill Gas Utilisation – Grid Connection
- General Infrastructural Works

Repayment of the loan will be made from the Council's existing budget provision and from income arising as a result of the gas utilisation project. On the proposition of Councillor Martin Phelan seconded by Councillor Patrick Bracken, the Members unanimously agreed to the approval to the raising of a loan in the sum of €750,000 for the capping of cells, gas infrastructure and general infrastructural works in Kyletalesha Landfill.

The Members were advised that there is a 50 year after care contract with the landfill and that the capping of cells is a legal obligation under our EPA licence. The Members were also advised that the gas infrastructure works will yield an income.

**13. AUDIT COMMITTEE ANNUAL REPORT 2013**

The Annual Report for 2013 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 2013.

On the proposition of Councillor Jerry Lodge seconded by Councillor John Moran, the Audit Committee Annual Report for 2013 was agreed. The Members complimented Mr. Evan Fennell, Internal Auditor and the Members of the Audit Committee on the report.

#### **14. DRAFT TRAVELLER ACCOMMODATION PROGRAMME 2014-2018**

Councillor Tom Mulhall proposed that the consideration of the Draft Traveller Accommodation Programme 2014-2018 be deferred to the March of Laois County Council. This proposal was seconded by Councillor Kathleen O' Brien. The County Manager, Mr. Peter Carey advised that he had met with representatives from the Travelling Community and that further consultation will be facilitated.

The County Manager thanked Mr. Gerry Murphy, Head of Finance, Ms. Fionnuala Daly, Senior Social Worker & Mr. Michael Rainey, Senior Executive Officer for their input. It was agreed that the matter would be listed for consideration at the March meeting of Laois County Council.

#### **15. UPDATE ON LOCAL ENTERPRISE OFFICES**

Ms. Anna Marie Delaney, Director of Services briefed the Members on this item and circulated details on same. The Members were advised that the County Enterprise Board (Dissolution) Bill, 2013 is passing through the Dáil at present and is expected to be enacted in March 2014. The Government recently announced the start date for the Local Enterprise Offices to be April 2014. The Evaluation & Approval Committee will be in place by March 28<sup>th</sup> 2014. The County Manager acknowledged the work carried out by the Laois County Enterprise Board to date. The Laois Local Enterprise Office will re-locate in County Enterprise Board Offices in Clonminam for the moment.

#### **16. UPDATE ON THE BUILDING CONTROL (AMENDMENT) REGULATIONS 2014 (S.I. NO. 9 OF 2014)**

Ms. Angela McEvoy, Senior Planner delivered a presentation on the Building Control (Amendment) Regulations 2014 and outlined the various changes in the regulations. The Members had also been circulated with the Guide to the Building Control (Amendment) Regulations, 2014 (S.I. No. 9 of 2014). The Members were advised that these regulations update the Building Control Regulations, 1997 (S.I. No. of 496 of 1997) as amended and will come into effect on the 1<sup>st</sup> of March 2014. The regulations strengthen the current arrangements in place for the control of building activity by requiring greater accountability in relation to compliance with Building Regulations in the form of statutory certification of design and construction, lodgement of compliance documentation, mandatory inspections during construction and validation and registration of certificates. With effect from 1<sup>st</sup> of March 2014, all commencement notices and accompanying documentation should be filed electronically via the new online Building Control Management System. Where notices and documentation are submitted in written format, Laois County Council will arrange for

scanning and uploading of same for which an administrative charge will apply and the statutory deadlines relating to such notices may be extended.

The Members expressed their concerns in relation to the new regulations in particular for one off houses and small extensions and also the volume of documentation required for applications. Ms. Angela McEvoy, Senior Planner replied to the various queries raised. The Members were advised that the Building Control Management System will be rolled out on the 3<sup>rd</sup> of March 2014.

#### **17. HEALTH & SAFETY UPDATE - PRESENTATION BY MR. JIM BOLGER, HEALTH & SAFETY OFFICER**

Mr. Jim Bolger, Health & Safety Officer delivered a presentation to the Members on Health & Safety including statistics, developments, training and challenges for Laois County Council. The County Manager, Mr. Peter Carey thanked Mr. Bolger for a very comprehensive presentation and re-iterated how Health & Safety is now embedded in all our systems throughout the organisation. Councillor Martin Phelan requested that a letter issue to the OPW requesting them to carry out an assessment on dangerous trees. This proposal was seconded by Councillor Tom Mulhall. Mr. Jim Bolger, Health & Safety Officer responded to the various queries raised.

#### **18. CORRESPONDENCE**

The Members were circulated with the following items of correspondence:

- (i) Report on Storm Event – Wednesday, February 12<sup>th</sup> 2014 from Mr. Kieran Kehoe, Director of Services and Controller of Operations. Councillor Martin Phelan proposed again that a letter issue to the OPW re dangerous trees, following the recent adverse weather conditions. The Cathaoirleach, Councillor Mary Sweeney paid tribute to the local community, Eircom and ESB crews for their efficiency in dealing with the storm. The Members also complimented the Fire Services & Civil Defence Teams. The Members were advised that the G.S.S.s would carry out surveys on the damage to trees and report same to the relevant agencies/bodies. The County Manager paid tribute to Mr. Kieran Kehoe, Director of Services and all the staff involved.
- (ii) Correspondence dated the 17<sup>th</sup> of February 2014 from Ms. Anna Marie Delaney, Director of Services in relation to Local Electoral Areas and Municipal Districts.
- (iii) Correspondence dated the 19<sup>th</sup> of February 2014 from Ms. Anna Marie Delaney, Director of Services in relation to the Local Government Reform Act, 2014
- (iv) Correspondence dated the 24<sup>th</sup> of February 2014 from Ms. Anna Marie Delaney, Director of Services in relation to Local Elections 2014.
- (v) Correspondence dated the 3<sup>rd</sup> of February 2014 from the Private Secretary to the Minister for the Environment, Community & Local Government in relation to Notice of Motions No: 39, 40 & 41/2013.

- (vi) Correspondence dated the 6<sup>th</sup> of February 2014 from the Private Secretary to the Minister for Justice & Equality in relation to Notice of Motion No's 42 & 43 of 2013.
- (vii) Correspondence dated the 21<sup>st</sup> of February 2014 from Planning Section of the Department of Environment, Community & Local Government in relation to Notice of Motion No: 02/2014 – Councillor Catherine Fitzgerald acknowledged the reply from the Department in this regard. Councillor Catherine Fitzgerald proposed that we put forward a submission and this was seconded by Councillor William Aird. It was agreed that a formal submission would go to the Department in this regard.

## 19. NOTICE OF MOTIONS

### **Notice of Motion No: 04/2014**

Councillor Catherine Fitzgerald proposed the following Notice of Motion:-

*“That this Council request Minister Jan O’ Sullivan, Minister for Housing & Planning to change the income threshold for social housing”*

This Notice of Motion was seconded by Councillor William Aird. It was agreed that a letter issue to the Minister in this regard.

### **Notice of Motion No: 05/2014**

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

*“That Laois County Council have an insurance policy in place to cover malicious damage to it’s property and houses and where this is verified by the Gardaí that the tenants should not have to pay for this damage”*

This Notice of Motion was seconded by Councillor Brendan Phelan. The Members were advised that the Council will review the current insurance arrangements with IPBMI.

### **Notice of Motion No: 06/2014**

Councillor Jerry Lodge proposed the following Notice of Motion:-

*“That this Council fully debates the lack of interest shown and the nil investment made by the IDA in Laois in 2013”*

This motion was seconded by Councillor James Daly. Councillor Jerry Lodge indicated that over the past 10 years the sum of €830,000 was paid out to two Companies in Laois. The Members expressed their dissatisfaction. It was agreed that Mr. Barry O’ Leary, Chief Executive Officer of the I.D.A. be invited to the March meeting of Laois County Council to discuss same.

### **Notice of Motion No: 07/2014**

Councillor Kathleen O' Brien proposed the following Notice of Motion:-

*"That the H.S.E. carry out an investigation into Ambulance Services nationally, which are understaffed and under-funded"*

This Notice of Motion was seconded by Councillor Catherine Fitzgerald. Councillor Kathleen O' Brien indicated that since the ambulance service was centralised that there has been a marked reduction in the service. It was agreed that a letter issue to the H.S.E. in this regard.

### **Notice of Motion No: 08/2014**

Councillor Kathleen O' Brien proposed the following Notice of Motion:-

*"That the Government lift the embargo on front line staff in our Hospitals & Garda Stations"*

This Notice of Motion was seconded by Councillor Brendan Phelan. It was agreed that a letter issue to the H.S.E. in this regard.

### **Notice of Motion No: 09/2014**

Councillor Paul Mitchell proposed the following Notice of Motion:-

*"That Laois County Council call for an immediate cessation of Public Water fluoridation in Ireland"*

This motion was seconded by Councillor James Daly. The Members were advised that the fluoridation of drinking water, the main aim of which is the prevention and control of dental caries (dental decay), commenced in Ireland in 1964 after the introduction of the health (Fluoridation of Water Supplies) Act, 1960. The Act provides that health authorities shall arrange for the fluoridation of public piped water supplies. The Act also provides that sanitary (local) authorities may act as the agents of health authorities in fluoridating public piped water supplies. Currently, approximately 73% of the population receives fluoridated water from public water supplies.

Local Authorities are required under the Health (Fluoridation of Water Supplies) Act, 1960 and in particular in Section 4 of the Act to fluoridate public water supplies. This Act allows for the Local Authority to recoup the costs associated with the fluoridation of water from the HSE.

The most recent Regulations drawn up on foot of this Act is S.I. No: 42/2007 - Fluoridation of Water Supplies Regulations 2007. These regulations revoked the earlier S.I. No: 274/1964 and one of the main changes made was that the levels of fluoride in treated water was reduced. From between .8 to 1 mg/l to between .6 to .8 mg/l. In addition, Laois County Council, as Water Service Authority, executes it's responsibility under these Regulations in accordance with 'Code of Practice on the Fluoridation of Drinking Water, 2007 produced by

the Irish Expert Body of Fluorides and Health. Laois County Council currently fluoridates the following Water Supplies:

Mountmellick 1 PWS  
Mountrath PWS  
Portarlinton PWS  
Portlaoise PWS  
Rathdowney PWS  
Abbeyleix PWS  
Graiguecullen PWS

It was agreed that a further letter issue to the Department of Health in this regard.

This concludes the business of the meeting.

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

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