

**MINUTES OF THE JANUARY MEETING OF LAOIS COUNTY COUNCIL HELD IN
ARAS AN CHONTAE ON THE 31ST OF JANUARY 2011**

PRESENT:	Councillors	James Deegan	In the Chair
		Rotimi Adebari	William Aird
		John Bonham	Pat Bowe
		Paddy Bracken	Ben Brennan
		Ray Cribbin	James Daly
		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
		Brian Stanley	Mary Sweeney

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

1. WELCOME TO STUDENTS

The Cathaoirleach welcomed 3rd year students from St. Fergal's College in Rathdowney together with their teacher Mr. Gerry Quinn to the Chamber.

2. VOTE OF SYMPAHTY

On the proposition of Councillor James Deegan, the members agreed that a vote of sympathy be extended to the Maher family on the recent death of Ms. Ellen Maher, Grange, Stradbally, Co. Laois and also to the McEvoy family on the death of William McEvoy, Grange, Stradbally, Co. Laois.

On the proposition of Councillor John Joe Fennelly, the members agreed that a vote of sympathy be extended to the Heffernan family on the recent death of Mr. Dan Heffernan, Mountrath. This was seconded by Councillor Brian Stanley.

On the proposition of Councillor Tom Mulhall, the members agreed that a vote of sympathy be extended to the Carney family on the recent death of Mr. Philip Carney, Emo, the Lacumbre family on the recent death of Mr. Leo Lacumbre, The Heath and also to the Fitzpatrick family on the death of Mr. Michael Fitzpatrick, Ballyduff, Stradbally.

On the proposition of Councillor Ray Cribbin, the members agreed that a vote of sympathy be extended to the Mitchell family on the recent death of Mr. John Mitchell

On the proposition of Councillor Rotimi Adebari, the Members agreed that a vote of sympathy be extended to Rev. Samuel Ogundere on the recent death of his wife, Mrs. Tutu Ogundere.

3. CONFIRMATION OF MINUTES

On the proposition of Councillor Michael Lalor seconded by Councillor Ray Cribbin, the Minutes of the December meeting held on the 13th of December 2010 were confirmed as circulated.

On the proposition of Councillor Brian Stanley seconded by Councillor Pat Bowe, the Minutes of the Budget meeting held on the 17th of December 2010 were confirmed as circulated.

4. REPORTS ON AREA MEETINGS & S.P.C. MEETINGS HELD IN DECEMBER 2010

On the proposition of Councillor Ray Cribbin, the Members noted the reports as circulated on the Area Meetings & S.P.C. Meetings held in December 2010.

5. PART VIII OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001 – CLONASLEE INTEGRATED CONSTRUCTED WETLAND SCHEME

The Members were circulated with a copy of the planning report in relation to the above proposed development. The Members were advised that Laois County Council proposes to construct an Integrated Constructed Wetland (ICW) at Clonaslee. The objective of the scheme is to provide improved wastewater infrastructure in the village. This will improve the water quality of the Clodiagh River and provide capacity for future development of the town which aligns with the strategic aims of the Clonaslee Area Plan. The proposed ICW will be constructed on a 6.23 hectares Greenfield site immediately adjacent to the existing wastewater treatment works. The proposed works consist of the following elements:

- Inlet Pumping Station
- 2 No. Initial Receiving Ponds
- 5 No. Treatment Ponds
- Pumping Station Control building with Telemetry and a SCADA system
- Site security fencing, site lighting

- Site access road
- Boundary screen planting and landscaping.

On the proposition of Councillor David Goodwin seconded by Councillor Seamus McDonald, the Members unanimously agreed to the proposed development in accordance with Part VIII of the Planning & Development Regulations, 2001.

6. PART VIII OF THE PLANNING & DEVELOPMENT REGULATIONS, 2001 – PORTLAOISE & MOUNTMELICK WATER SUPPLY IMPROVEMENT SCHEME, PROPOSED RAW WATER STORAGE/BLENDING TANK AND PUMPING STATION AT STRABOE

The Members were circulated with a copy of the planning report in relation to the above proposed development. The Members were advised that the Portlaoise and Mountmellick WSIS is currently served by a combination of surface water and groundwater sources. The existing demands for the scheme are estimated at approximately 10,500m³/d. The works associated with the proposed development include the following elements:

- Construction of a new 2,000m³ capacity raw water storage/blending tank
- Construction of a new pumping station and control building
- Demolition of existing pumphouse
- Associated site works

On the proposition of Councillor Brian Stanley seconded by Councillor Mary Sweeney, the Members unanimously agreed to the proposed development in accordance with Part VIII of the Planning & Development Regulations, 2001.

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

(a) Disposal of 0.194 acres of land at Hopes Bridge in the townland of Kilmullen, Co. Laois

On the proposal of Councillor Ray Cribbin seconded by Councillor Tom Mulhall, the members unanimously agreed to the disposal of 0.194 acres of land at Hopes Bridge in the townland of Kilmullen, Co. Laois for a consideration of 1,877m² (0.464 acres) of land required for the construction of Hope's Bridge

(b) Disposal of 2.55 acres and 0.79 acres of land at Trumera, Mountrath

On the proposal of Councillor Michael Lalor seconded by Councillor Brendan Phelan, the members unanimously agreed to the disposal of

2.55 acres and 0.79 acres of land at Trumera, Mountrath in the townland of Trumera for a consideration of €26,000

- (c) Disposal of land at the Fairways, Abbeyleix in the townland of Rathmoyle to the following:
 - (i) 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, 7 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00
 - (ii) On the proposal of Councillor John Joe Fennelly seconded by Councillor Patrick Bracken, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 17 Abbey Crescent, Abbeyleix, Co. Laois for a consideration of €650.00
 - (iii) On the proposal of Councillor John Joe Fennelly seconded by Councillor Patrick Bracken, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 3 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00
 - (iv) On the proposal of Councillor John Bonham seconded by Councillor Brian Stanley, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 5 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00
 - (v) On the proposal of Councillor John King seconded by Councillor John Joe Fennelly, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 2 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00
 - (vi) 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, 8 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00
 - (vii) On the proposal of Councillor John Joe Fennelly seconded by Councillor Brian Stanley, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 9 The Fairways, Abbeyleix, Co. Laois for a consideration of €50.00
 - (viii) On the proposal of Councillor John Joe Fennelly seconded by Councillor John King, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 21 Ballyroan Road, Abbeyleix, Co. Laois for a consideration of €1,900.00
 - (ix) On the proposal of Councillor John Joe Fennelly seconded by Councillor John King, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 1 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00
 - (x) 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 to John Lynch, 4 The Fairways, Abbeyleix. Co. Laois for a consideration of €100.00
 - (xi) 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, 6 The Fairways, Abbeyleix, Co. Laois for a consideration of €100.00

- (xii) 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, 19 Abbey Crescent, Abbeyleix, Co. Laois for a consideration of €900.00
- (xiii) On the proposal of Councillor John Joe Fennelly seconded by Councillor John King, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 20 Abbey Crescent, Abbeyleix, Co. Laois for a consideration of €900.00
- (xiv) On the proposal of Councillor John King seconded by Councillor John Bonham, the members unanimously agreed to the disposal of land at the Fairways, Abbeyleix, 18 Abbey Crescent, Abbeyleix, Co. Laois for a consideration of €900.00

- (d) **Lease of land at The Green, Stradbally in the townland of Stradbally**
Councillor Ray Cribbin proposed that Laois County Council lease the land at The Green, Stradbally in the townland of Stradbally – the consideration for the lease of the land shall be €1.00 per annum. This proposal was seconded by Councillor Brian Stanley.

Councillor Paul Mitchell proposed that consideration of this matter be deferred and this proposal was seconded by Councillor Tom Mulhall. A Roll Call Vote was taken on Councillor Mitchell’s proposal which resulted as follows:

COUNCILLOR		FOR	AGAINST	ABSTENTION/ABSENT
FIRST NAME	SURNAME			
Rotimi	ADEBARI		✓	
Willie	AIRD			Absent
John	BONHAM		✓	
Pat	BOWE		✓	
Paddy	BRACKEN		✓	
Ben	BRENNAN		✓	
Raymond	CRIBBIN		✓	
James	DALY		✓	
James	DEEGAN		✓	
John Joe	FENNELLY		✓	
Catherine	FITZGERALD		✓	
Padraig	FLEMING		✓	
David	GOODWIN		✓	
John	KING			Absent
Michael	LALOR		✓	
Jerry	LODGE		✓	
Seamus	MCDONALD	✓		

Paul	MITCHELL	✓		
John Robert	MORAN			Abstain
Tom	MULHALL	✓		
Kathleen	O'BRIEN			Absent
Brendan	PHELAN			Absent
Martin	PHELAN			Absent
Brian	STANLEY		✓	
Mary	SWEENEY		✓	

The result of the Roll Call Vote was 3 votes in favour of the deferral and 16 votes against with 6 absent/abstentions.

A Roll Call Vote was taken on Councillor Cribbin's proposal which resulted as follows:

COUNCILLOR		FOR	AGAINST	ABSTENTION/ABSENT
FIRST NAME	SURNAME			
Rotimi	ADEBARI	✓		
Willie	AIRD			Absent
John	BONHAM	✓		
Pat	BOWE	✓		
Paddy	BRACKEN	✓		
Ben	BRENNAN	✓		
Raymond	CRIBBIN	✓		
James	DALY	✓		
James	DEEGAN	✓		
John Joe	FENNELLY	✓		
Catherine	FITZGERALD	✓		
Padraig	FLEMING	✓		
David	GOODWIN	✓		
John	KING			Absent
Michael	LALOR	✓		
Jerry	LODGE	✓		
Seamus	MCDONALD		✓	
Paul	MITCHELL		✓	
John Robert	MORAN			Abstain
Tom	MULHALL		✓	
Kathleen	O'BRIEN			Absent
Brendan	PHELAN			Absent
Martin	PHELAN			Absent
Brian	STANLEY	✓		
Mary	SWEENEY	✓		

The result of the Roll Call Vote was 16 votes in favour of the adoption of the Section 183 and 3 votes against with 6 absent/abstentions. Therefore, it was agreed that in accordance with Section 183 of the Local Government Act, 2001, that the land at the Green, Stradbally in the townland of Stradbally be leased – the consideration for the lease of the land being €1.00 per annum.

8. (i) TAKING IN CHARGE OF CORRIG LODGE, PORTARLINGTON

On the proposition of Councillor Paul Mitchell seconded by Councillor Ray Cribbin, the members unanimously agreed to the taking in charge of Corrig Lodge, Portarlington.

(ii) TAKING IN CHARGE OF KILTEALE AVENUE, DUBLIN ROAD, PORTLAOISE

On the proposition of Councillor Mary Sweeney seconded by Councillor Brian Stanley, the members unanimously agreed to the taking in charge of Killeale Avenue, Dublin Road, Portlaoise.

9. UPDATE ON THE IMPLEMENTATION OF THE CORPORATE PLAN 2009 – 2014

The Members were circulated with a copy of the Corporate Plan 2009 – 2014. The County Manager, Mr. Peter Carey briefed the Members on the plan. This Corporate Plan provides the framework for the implementation of a coherent strategy for the development of our County for the period 2009 – 2014 and was prepared following consultation with employees, elected representatives, community, voluntary and environmental interests, external stakeholders and other public bodies operating at local level. The County Manager indicated the difficulties in maintaining the level of services with the reduction in staff numbers. He acknowledged the role of all the staff of Laois County Council and in particular during the recent prolonged severe weather and thanked staff for doing an excellent job in difficult circumstances. These sentiments were endorsed by the Members.

10. UPDATE ON KYLETELISHA LANDFILL

The Cathaoirleach, Councillor James Deegan welcomed Members of the Kyletelisha Landfill Monitoring Committee to the Chamber. The County Manager, Mr. Peter Carey complimented Mr. John Daly, Director of Services, Mr. John O' Donoghue, Senior Engineer and his staff on an excellent report on the Landfill. The County Manager informed Members that Laois County Council had carried out a marketing exercise in relation to the sale of the facility and will not be disposing of the landfill and it is intended to proceed with the development of a further cell with a capacity of approximately 120,000 tonnes. When this cell has been filled in 2015/2016, the landfill will be closed unless there is a substantial change in market conditions/Government policy in the meantime. The Members were also informed that there have been substantial changes in relation to the requirements on Laois County

Council for the operation of the landfill and that the legal licence is very complex. The County Manager, Mr. Peter Carey acknowledged the staff at the landfill for the efficient running of the facility, for their level of commitment and for the efficiencies achieved. The Members also complimented the officials on the report.

11. SUSPENSION OF STANDING ORDERS

As the time had reached 1.00 p.m., on the proposition of Councillor William Aird seconded by Councillor James Daly, the members unanimously agreed to suspend Standing Orders to continue with the meeting.

12. ST. ABBAN'S ATHLETIC CLUB – RECOGNITION OF ACHIEVEMENT

The Cathaoirleach welcomed athletes and committee members from St. Abban's Athletic Club to the Council Chamber and congratulated the club for recently achieving the All-Ireland Club of the Year. The Members congratulated the Club on their wonderful achievement. The County Manager, Mr. Peter Carey also extended his congratulations to the Club and complimented them on the quality of their facility at St. Abban's and wished them every success into the future. On behalf of the club, Mr. Brian Kelly thanked Laois County Council for the honour.

13. CORRESPONDENCE

The Members were circulated with the following items of correspondence:-

- (1) Acknowledgement letter from the Office of An Taoiseach dated the 11th of January 2011 regarding the postal service
- (2) Acknowledgement letter from the Office of the Minister for Communications, Energy & Natural Resources dated the 18th of January 2011 regarding the postal service
- (3) Correspondence from Deputy Charles Flanagan dated the 20th of January 2011 regarding the postal service
- (4) Correspondence from Comairle na Mire Gaile dated the 18th of January 2011 regarding the Bravery Awards
- (5) Correspondence from the Department of the Environment, Heritage & Local Government dated the 27th of January 2011 regarding training for Elected Members on the Planning & Development (Amendment) Act, 2010
- (6) National Roads Allocations

14. ANY OTHER BUSINESS

Councillor John Joe Fennelly requested an update on Donaghmore Museum. The County Manager, Mr. Peter Carey advised that certain works are required

to the bell tower and existing buildings. This work has been costed and a funding application to Laois Partnership in the sum of €500k prepared. The Council will be spending €65k approx in support funding over the next three years on these securing works. The Part VIII process will also be commencing. The Museum Committee will lodge, with our assistance, the application to Laois Partnership. A report will issue to update Members in due course.

The County Manager, Mr. Peter Carey also informed the Members regarding the Mountain Bike Project in association with Offaly County Council and Coillte and advised that Coillte have now signed off on the project. The Cathaoirleach advised that Montebelluna, Italy are staging the World Mountain Bike Championships in June 2011 and have invited representatives from Council to attend. There is the possibility of a co-operative approach to enable Laois County Council to run the event in 2012/2013. The Members welcomed this development.

15. NOTICE OF MOTIONS

Notice of Motion No: 01/11

Councillor Brian Stanley proposed the following Notice of Motion:-

“That this Council clarify the requirements regarding the depth for water pipes to be laid in new developments and ensure that prior to estates being taken in charge that mains and service pipes are installed properly”

This motion was seconded by Councillor Rotimi Adebari. The Members were advised that the National standard set by the Department of the Environment is contained in ‘Recommendations for Site Development Works’ 1998. Water mains should be laid so as to have a minimum of 900 millimetres cover and water service pipes laid with 600 millimetres cover and stop cocks laid at 300mm cover. The Building Control Officer, Area Engineer and other sections of the Council ensure compliance with the standards before an estate is taken in charge.

Notice of Motion No: 02/11

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council calls on the Government to make capital available to industries and businesses now that we own the banks”

This motion was seconded by Councillor John Moran. It was agreed that a letter issue in this regard.

Notice of Motion No: 03/11

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council call on the N.R.A. to finish outstanding minor works on the M7/M8”

This motion was seconded by Councillor John Joe Fennelly. The Members were advised that Laois County Council has met the local Councillors and compiled a list of outstanding issues and submitted these to the N.R.A. The Contractor is working through these outstanding issues. The recent spell of bad weather has impacted slightly on the timeframe.

Notice of Motion No: 04/11

Councillor Martin Phelan proposed the following Notice of Motion:-

“That this Council retain all outdoor staff to repair all roads which have been destroyed by frost and snow”

This motion was seconded by Councillor Michael Lalor. The Members were advised that the Council will continue to deploy all available staff resources to the repair of damaged roads, subject to the budgetary restrictions which apply.

16. ANY OTHER BUSINESS

Ms. Anna Marie Delaney, Director of Services indicated that the Register of Electors for 2011/2012 becomes live on the 15th of February 2011. Laois County Council are awaiting the official closing date for the Supplement to the Register from the D.O.E.H.L.G.

The Cathaoirleach, Mr. James Deegan wished all the candidates in the forthcoming general election well in their endeavours, in particular the Members of Laois County Council, Councillors Rotimi Adebari, John Moran & Brian Stanley.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
DIRECTOR OF CORPORATE
AFFAIRS

