

**MINUTES OF THE JANUARY MEETING OF LAOIS COUNTY COUNCIL HELD IN
ÁRAS AN CHONTAE ON THE 25th OF JANUARY 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:

Messers 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.

1. CONFIRMATION OF THE MINUTES OF THE DECEMBER MEETING HELD ON THE 14TH OF DECEMBER 2015

On the proposition of Councillor Paddy Bracken seconded by Councillor John Joe Fennelly, the Minutes of the December meeting of Laois County Council held on the 14th of December 2015 were agreed as circulated.

2. REPORTS ON MUNICIPAL DISTRICT MEETINGS HELD IN DECEMBER 2015

On the proposition of Councillor John King seconded by Councillor Mary Sweeney, the reports on Municipal District meetings held in December 2015 were noted and agreed as circulated.

3. REPORTS ON STRATEGIC POLICY COMMITTEE MEETING HELD IN DECEMBER 2015

On the proposition of Councillor John Joe Fennelly seconded by Councillor John Moran, the report on the Strategic Policy Committee meeting held in December 2015 was noted and agreed as circulated.

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

(i) DISPOSAL OF PROPERTY AT 5 THE MAPLES, FOREST PARK, PORTLAOISE, CO. LAOIS.

On the proposition of Councillor Jerry Lodge seconded by Councillor John Moran, the Members unanimously agreed to the disposal of property at 5 The Maples, Forest Park, Portlaoise, Co. Laois in the townland of Borris Great for a consideration of €70,000.00.

(ii) DISPOSAL OF FREEHOLD AT 15 BORRIS ROAD, PORTLAOISE, CO. LAOIS

On the proposition of Councillor Caroline Dwane Stanley seconded by Councillor John Joe Fennelly, the Members unanimously agreed to the disposal of freehold at 15 Borris Road, Portlaoise, Co. Laois in the townland of Borris Little for a consideration of €300.00.

(iii) DISPOSAL OF 0.0108 HECTARES OF LAND AT 37 ERKINDALE DRIVE, DURROW, CO. LAOIS

On the proposition of Councillor James Kelly seconded by Councillor John King, the Members unanimously agreed to the disposal of 0.0108 hectares of land at 37 Erkindale Drive, Durrow, Co. Laois, for a consideration of €100.00.

(iv) DISPOSAL OF SITE NO. 3 COMPRISING 0.1052 HECTARES OF LAND AT 3 CLODIAGH WAY, CLONASLEE, CO. LAOIS.

On the proposition of Councillor Seamus McDonald seconded by Councillor Paddy Bracken, the members unanimously agreed to defer the consideration of this disposal to the February Meeting of Laois County Council which is scheduled for the 29th of February 2016.

5. LAOIS COUNTY COUNCIL MONTHLY MANAGEMENT REPORT FOR DECEMBER 2015 (IN ACCORDANCE WITH CIRCULAR LETTER LG 18/2014)

Mr. John Mulholland, Chief Executive briefed the meeting on this matter and the report for December was circulated. The report for December 2015 was unanimously agreed and noted. A number of queries were raised on the report and the Directors of Services responded to the queries raised.

A report was also circulated to the Members on the recent storm events in December 2015 and early January 2016.

Notice of Motion No: 01/2016 was also discussed which was proposed by Councillor Padraig Fleming & seconded by Councillor John Joe Fennelly:-

“That this Council give a report on the flooding and damage in the County caused as a result of the recent severe weather conditions and the estimated cost of repairing the infrastructure and roads and to request funding from the Government for the works”

The Members thanked Mr. Kieran Kehoe, Director of Services for a very comprehensive report and all concerned with the recent storm events.

6. ANNUAL DECLARATION OF INTERESTS

The Members noted the obligations under Part 15 of the Local Government Act, 2001, as amended in relation to the completion of their Annual Declaration of Interests. Correspondence has issued to the Members in this regard and completed forms are to be returned to the Ethics Registrar no later than the last day of February.

7. CONFIRM DATE FOR THE MARCH MEETING OF LAOIS COUNTY COUNCIL – 21ST OF MARCH 2016

On the proposition of Councillor John Joe Fennelly seconded by Councillor John King, the Members unanimously agreed that the March meeting would take place on the 21st of March 2016 at 11.00 a.m.

8. UPDATE ON THE IMPLEMENTATION OF THE CORPORATE PLAN 2014-2019

The Members were circulated with an update on the Corporate Plan 2014 – 2019 and a discussion ensued in relation to same. Mr. Michael Rainey, A/Director of Services indicated that the strategies and objectives outlined in the Plan will enable Laois County Council's Elected Members and Employees to continue to provide leadership in the promotion and development of the social, economic and cultural life of the County.

The Chief Executive of Laois County Council, Mr. John Mulholland advised the Members that Laois County Council can be justifiably satisfied with the progress achieved in the implementation of the Corporate Plan 2014-2019. Laois County Council is constantly striving to achieve high standards in all service areas. Given the commitment and the dedication of its employees and the Elected Members together with the co-operation of the Sectoral Partners the Chief Executive is satisfied that Laois County Council will continue to be viewed as a model of good practice in Local Government, notwithstanding the difficult economic climate and the unprecedented challenges facing the Council. The Members unanimously agreed with the update on the plan as circulated.

9. OFFICIAL INVITATION TO THE ST. PATRICK'S DAY PARADE 2016 NEW YORK FROM THE LAOIS ASSOCIATION NEW YORK

Mr. Michael Rainey, A/Director of Services advised the Members that an invitation had been received from the County Laois Association in New York inviting the Cathaoirleach and other officials of Laois County Council to the St. Patrick's Day Parade in New York. On the proposition of Councillor John Moran seconded by Councillor John King, approval was given to same.

10. RATIFICATION OF CONFERENCES/ATTENDANCE AT TRAINING

On the proposition of Councillor James Kelly seconded by Councillor John Moran, the Members unanimously agreed to the ratification of conferences/attendance at training as circulated.

11. CORRESPONDENCE

The following correspondence was circulated to the Members since the last meeting of the Council:-

- Letter from Transport Infrastructure Ireland dated December 23rd 2015 in relation to a recent Notice of Motion regarding cattle grids on the slip roads on and off the motorway at interchanges in County Laois
- Acknowledgement from the Office of the Minister for Education and Skills dated December 29th 2015 in relation to a recent Notice of Motion regarding the construction of the new St. Francis School
- Acknowledgement from the Embassy of the United States of America dated the 12th of January 2016 in relation to the Book of Condolences from Laois County Council concerning the Berkley tragedy
- Acknowledgement from An Garda Síochána dated the 6th of January 2016 in relation to the Book of Condolences from Laois County Council concerning the murder of Garda Anthony Golden

12. NOTICE OF MOTIONS

Notice of Motion No: 02/2016

Councillor Brendan Phelan proposed the following Notice of Motion:

“That this Council consider re-instatement of the Local Improvement Scheme”

This Notice of Motion was seconded by Councillor William Aird. The Members were advised that a Local Improvement Scheme (LIS) was a mechanism for carrying out improvement works on private and non-public roads. The Department of Transport, Tourism and Sport provided no separate grant allocation towards this in 2015 to local authorities. Laois County Council is presently waiting for the impending 2016 Regional and Local Road Grant Allocations from the Department and the DTTAS will advise in the accompanying Circular what the status of LIS will be this year. Following this further consideration can be given to the matter in consultation with Councillors in drafting the 2016 Roads Programme.

Notice of Motion No: 03/2016

Councillor Tom Mulhall proposed the following Notice of Motion:-

“That this Council call on the O.P.W. to put in place a proper drainage scheme on our main rivers in the County”

This Notice of Motion was seconded by Councillor John King. It was agreed that a letter issue to the OPW in this regard. It was also agreed that a representative from the O.P.W. be invited to a meeting of Laois County Council to brief the Members in relation to same.

Notice of Motion No: 04/2016

Councillor Noel Tuohy proposed the following Notice of Motion:-

“In view of the serious revelations in the Prime Time investigation regarding potential hazards from emissions to public health and possible pollution that the Council clarify its role in terms of planning permission for the Enva plant sited within a busy residential and commercial area, ensures that any conditions attached are being complied with and outline what role the local authority has in relation to Environmental protection and enforcement in this case”

This Notice of Motion was seconded by Councillor John King. The Members were advised that in 2000 Atlas Oil Laboratories Ltd was granted an Integrated Pollution Control Licence (IPC Reg No. 472) by the Environmental Protection Authority (EPA) for their operations. This was reviewed in 2004 by the EPA and a new Industrial Emissions Licence (Waste Licence Reg No. W0184-01) was granted in 2004. The Licence has since been amended on four subsequent occasions by the EPA.

As the site is licensed by the EPA, responsibility to ensure that operations and emissions are in accordance with the terms of licence rests with the licensing authority, in this case the EPA. Local Authorities have no role in enforcing EPA licences. Laois County Council’s Environment Section received three complaints in relation to activity at the site in 2015 in relation to unpleasant odours emanating from the site. These would have been promptly passed on to the EPA and the person making the complaint advised accordingly.

This concluded the business of the meeting.

SIGNED: _____
CATHAOIRLEACH

CERTIFIED: _____
**DIRECTOR OF CORPORATE
AFFAIRS**

